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सं. 31] नई दिल्ली, शनिवार अगस्त 4, 1990/श्रावण 13, 1912
No. 31] NEW DELHI, SATURDAY, AUGUST 4, 1990/SRAVANA 13, 1912

इस भाग में केवल पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

(जहाँ संकेत को छोड़ कर) भारत सरकार के विभागों द्वारा जारी किए गए औपचारिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India other than
the Ministry of Defence)

कार्मिक, लोक निकायन तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

आदेश

नई दिल्ली, 18 जुलाई, 1990

का.आ. 2026.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस
स्थापन अधिनियम, 1946 (1946 का अधिनियम सं 25)
की धारा 6 के साथ पठित, धारा 5 की उपधारा
(1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, आन्ध्र प्रदेश
राज्य सरकार की सहमति से [आन्ध्र प्रदेश राज्य सरकार
गृह (एस सी-ए) विभाग पी. ओ. आर. टी. सं. 857
तारीख 29-3-1990 द्वारा] दिल्ली विशेष पुलिस स्थापन
के सदस्यों की शक्तियों और अधिकारों का विस्तार निम्न-
लिखित आदेशों के द्वारा संपूर्ण आन्ध्र प्रदेश राज्य पर
करती है :—

श्री बी.पी. वर्मा, उप महाप्रबन्धक, खेती कापर
कम्प्लैक्स, राजस्थान और मैसूर वाटर डेवलपमेंट सोसाइटी,
हैदराबाद जिन के बारे में यह अधिकृत है कि उन्होंने
उपमाधनों सहित डबल डी एस-100 मास्ट यूनिट माउण्टेड
रिंग मशीन का खरीदने में खेती कापर कम्प्लैक्स के साथ

पड़सं और छव किया है, के विरुद्ध मामला आर सी सं.
24(ए) 89-पी. वी. आई. जयपुर की वाचन भारतीय
इण्ड संविदा, 1860 (1860 का अधिनियम सं. 45)
की धारा 420, 468, 471 के साथ पठित धारा
और भाष्टाचार निवारण अधिनियम, 1947 (1947 का
अधिनियम सं. 2) का प्रार 5(1) (ब) के साथ पठित
धारा 5(2) के अधीन इण्डनों आगध ।

[संख्या 228/13/90-प. वी. डी. (II)]

जी. मोरारमन, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 18th July, 1990

S.O. 2026.—In exercise of the powers conferred by sub-
section (1) of section 5 read with section 6 of the Delhi
Special Police Establishment Act, 1946 (Act No. 25 of 1946)
the Central Government, with the consent of the State Gov-
ernment of Andhra Pradesh [Vide Government of Andhra
Pradesh Home (SC-A) Department G.O. Rt. No. 857 dated
29-3-1990] hereby extends the powers and jurisdiction of the
members of the Delhi Special Police Establishment to the

(3447)

whole of the State of Andhra Pradesh for investigation of offences as hereunder :—

Offences punishable under section 120-B read with sections 420, 468, 471 of Indian Penal Code (Act No. 45 of 1860) and Section 5(2) read with section 5(1)(d) of Prevention of Corruption Act, 1947 (Act No. 2 of 1947) in regard to case No. RC No. 24(A)/89-CBI-Jaipur against Shri B. P. Verma, Deputy General Manager, Khetri Copper Complex, Rajasthan and M/s. Water Development Society, Hyderabad, who are alleged to have conspired and cheated the Khetri Copper Complex in purchase of WDS—400 mast unit mounted rig machine with accessories.

[No. 228/13/90-AVD (II)]

G. SITARAMAN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

महानिदेशक (आयकर छूट) का कार्यालय

कलकत्ता, 16 मई, 1990

(आयकर)

का.आ. 2027.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिमूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैतीम/एक दो) की उपधारा (1) के खण्ड (ii) के लिये, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर “संस्था” प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग चेखा रजिटर।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेह्रौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, चेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी-व्यय, आस्तियों एवं देयदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

के. ई. एम. हास्पिटल रिसर्च सेंटर नरदार मुडलियर मार्ग, रास्ता पथ, पूर्ण-411011।

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिये प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि व बढ़ाने के लिये अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिये सुझाव दिया जाता है। विभिन्न मामलों में, जहाँ अनुमोदन आदेश उपर्युक्त तीन माह की समाप्ति पर अवधि उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदन आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 193/फा. सं. डी.जी./एम.-20/कल./35/(1)
(ii) 89-आ. कर (छूट)]

MINISTRY OF FINANCE

(Department of Revenue)

OFFICE OF THE DIRECTOR GENERAL

(I. T. EXEMPTIONS)

Calcutta, the 16th May, 1990

(INCOME-TAX)

S.O. 2027.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General (I. T. Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research, for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research.
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhavan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year.
- (iii) It will submit to the (a) Director General (Income-tax Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.
- (iv) It will apply in triplicate for further extension of the approval, to the Director General (Income-tax Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. It will also submit six copies of the application for extension.

sion to the Secretary, Department of Scientific and Industrial Research.

NAME OF THE ORGANISATION

K.E.M. Hospital Research Centre,
Sardar Moodliar Road,
Rastha Peth,
Pune-411011.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

[No. 193/F. No. DG/M-20/Cal]35(1)(ii)|89-IT(F)]

कलकत्ता, 1 जून, 1990

(आयकर)

का.आ. 2028.—सर्वसाधारण की सूचना के लिये एतद् द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35(पैतीम/एक/दो) की उपधारा (1) के खण्ड (ii) के लिये, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित अधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षा आर्गिड लेखों की एक प्रति अपनी-व्यय, आय-व्यय एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इण्डियन नेशनल ऐकाडमी आफ इंजीनियरिंग
के/ऑ. इन्स्टीट्यूट आफ इंजीनियर (भारत), बहादुर
शाह जफर मार्ग, नई दिल्ली-110002

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक का
अवधि के लिये प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिये
अनुमोदन की समाप्ति से तीन माह पूर्व आयुक्त
आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्रा-
धिकार में संगठन पड़ता है, के माध्यम से
आयुक्त महानिदेशक (छूट), कलकत्ता को तीन

प्रतियों में आवेदन करने के लिये गुमाव दिया
जाता है। विशेष मामलों में, जहां अनुमोदित
आदेश अपर्युक्त तीन माह की समाप्ति पर
अथवा उक्त अवधि की समाप्ति के ठीक पूर्व
प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त
करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि
बढ़ाने के लिए आवेदन करे। अनुमोदन की
अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-
पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्यो-
गिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 194/फा. सं. डी. जी./एन. डी.-56/कल /35-
(1)(ii)/89-आय. कर (छूट)]

Calcutta, the 1st June, 1990

(INCOM7-TAX)

S.O. 2028.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) or Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Indian National Academy of Engineering,
C/o. Institute of Engineers (India),
Bahadur Shah Zafar Marg,
New Delhi-110002.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 194/F. No. DG/ND-56/Cal]35(1)(ii)|85-IT(F)]

आयकर

का. आ. 2029—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिये, सचिव, ज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी-व्यय, आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

केसर इंस्टीच्यूट (डब्ल्यू. आई. ए.) अदयार, मद्रास-600020।

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिये प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिये अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिये सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[सं. 195/फा.त.डी.जी./डी.एन.-20/कल./35(1)
(ii)/89-आ.कर (छूट)]

INCOME-TAX

S.O. 2029.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Cancer Institute (W.I.A.),
Adyar, Madras-600020.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/ the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 195/F. No. DG/TN-20/Cal/35(1)(ii)/89-IT(E)]

आयकर

का. आ. 2030—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिये सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/विश्व विद्यालय प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के

लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग औद्योगिक भवन न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ साइन्स, साइन्स इंस्टीट्यूट पोस्ट आफिस गंगलोर-560012

यह अधिसूचना दिनांक 1-4-89 से 31-3-92 तक की अवधि के लिये प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिये अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिये सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग का प्रस्तुत करना है।

[सं. 196/फा.सं.डी.जी./के.टी.-21/कल./35(1)(ii)/90-आ.कर (छूट)]

INCOME-TAX

S.O. 2030.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax, Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Indian Institute of Sciences
Science Institute Post Office,
Bangalore-560012

This Notification is effective for the period from 1-4-1989 to 31-3-1992.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 196/F. No. DG/KT-21/Cal/35(1)(ii)90-IT(E)]

आयकर

का. आ. 2031—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैरोम/एक/तीन) की उपधारा (1) के खण्ड (iii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/वर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यशालाओं का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

एसोसिएशन फॉर दि वेतफेर आफ परमोनस विथ ए मेन्टल हण्डिकेफ इन महाराष्ट्र, टर्नर मोरेशन, हाउस (बैसमेन्ट) 16, बैंक स्ट्रीट, बम्बई-400023

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना ह।

[सं. 197/फा. सं. डी.जी./एम.-38/कल./35(1)(iii)/
89-आ.कर (छूट)]

INCOME-TAX

S.O. 2031.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (iii) of Sub-section (1) of Section 35 (Thirty Five/one/three) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- The organisation will maintain a separate account of the sums received by it for Scientific Research;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Association for the Welfare of Persons with a Mental Handicap in Maharashtra,

Turner Morrison House (Basement),
16, Bank Street, Bombay-400023.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the

order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 197/F. No. DG/M-38/Cal/35(1)(iii)(89-IT (E)]

आयकर

का. आ. 2032—सर्वसाधारण की सूचना के लिए पत्रद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैनीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/वर्ग के अधीन अनुमोदित किया गया है।

- संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यालयों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- यह प्रत्येक वर्ष की 30 जून तक, निम्नलिखित विहित शर्तों को पूरा करने के लिए, आसिनको एवं दाखिलियों के विवरण सहित, (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) तथा क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

मानावनी हस्पताल मेडिकल रिसर्च सेंटर, लक्ष्मी विजेतावर रोड विल पार्क (वेस्ट) बम्बई-400056

यह अधिसूचना दिनांक 1-4-90 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 198/फा. सं. डी.जी./एम.-58/कल./35(1)(ii)/
89-आ.कर (छूट)]

INCOME-TAX

S.O. 2032.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemption) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Nanavati Hospital Medical Research Centre,
Swami Vivekananda Road,
Vile Parle (West),
Bombay-400056.

This Notification is effective for the period from 1-4-1990 to 31-3-1991

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of (three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 198/F. No. DG/M-58/Cal/35(1)(ii)/89-IT(F)]

आयकर

का. आ. 2033.—सर्वसाधारणकी सूचना के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (वैनीस एक दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्य कलाओं का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 20 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आयतियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त आयुक्त निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इंडियन कैन्सर सोसाइटी, लेडी स्मिथ हास्पिटल एंड रिसर्च सेंटर, एम कार्ब रोड को ओपरेटिंग बिल्डिंग-400021

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक का अवधि के लिए प्रभावी है।

टिप्पणी : संगठन का अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त आयुक्त निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सूझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदन आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदन आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। अनुमोदन की अवधि बढ़ाने से सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत कना है।

[सं. 190/ए. सं. सी.जी.एम-50/कल./35/(1)(ii)
89-प्रा.कर (छूट)]

INCOME-TAX

S.O. 2033.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Indian Cancer Society,
Lady Ratan Tata Medical & Research Centre,
M. Karve Road, Cooperage,
Bombay-400021.

This Notification is collective for the period from 1-4-1990 to 31-3-1991.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 199/F. No. DG/M-59/Cal./35(1)(ii)|89-IT(E)]

आयकर

का. आ. 2033—पर्वनाशरण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 (पैनीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रशर्ष के अधीन अनुमोदित किया गया है :

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

किदवाई मेमोरियल इन्स्टिट्यूट ऑफ ऑन्कोलाजी होमर मार्ग, बंगलोर-560029 (कर्नाटक)

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कनकनता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। अनुमोदन को अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 200/फा. सं. डी.जी./के.टी.-2/कल./35/(1)(ii)
89-आ.कर (छूट)]

INCOME-TAX

S.O. 2034.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two/three) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Kidwai Memorial Institute of Oncology,
Hosur Road, Bangalore-560029,
Karnataka.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 200/F. No. DG/KT-2/Cal./35(1)(ii)|89-IT(E)]

आयकर

का. आ. 2035:—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैरीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ना है, को प्रस्तुत करेगा।

विट्टल मल्लया साइंटिफिक रिसर्च फाउंडेशन 1, विट्टल मल्लया मार्ग, बंगलूर-650001

संगठन का नाम

यह अधिसूचना दिनांक 1-4-90 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सूझाव दिया जाता है। विशेष मामलों में जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अवधि उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदनपत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[नं. 201/फा. सं. डी.जी./के.टी.-1/कल./35(1) (ii)/
89-आ.कर (छूट)]

INCOME-TAX

S.O. 2035.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax rules, 1962 i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of

Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two/three) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Vittal Mallya Scientific Research Foundation,
1, Vittal Mallya Road, Bangalore-560001.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

NOTE.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 201/F. No. DG/KT-1/Cal/35(1)(ii)/89-IT(E)]

आयकर

का. आ. 2936:—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैरीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/

आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

दीनदयाल कंकर रिसर्च सेंटर, 926, फाईमन कॉलेज मार्ग

पुणे-411004

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर प्रथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां रजिस्टर, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[स. 202/फा. सं. डी. जी./एम-10/कन./35(1) (ii)/
89-आ. कर (छूट)]

INCOME-TAX

S.O. 2036.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two/three) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Deendayal Cancer Research Centre,
926, Perason College Road,
Pune-411004.

This Notification is effective for the period from 1-4-1990 to 31-3-1991.

NOTE—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional

cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 202/F. No. DG/MI 10/Cal/35(1)(ii)/89-IT(E)]

आयकर

आ. आ. 2037—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैरीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, रजिस्टर, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है :

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, रजिस्टर, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यवस्थापिका एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

दिशनाथ लाल कंकर आरक इण्डिया रिसर्चसिटी, मेहरोल कम्पस,

बंगलूर-560001

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर प्रथम उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि

बढ़ाने के लिए आवेदन करें। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[स. 203/फा. सं. डी.जी./क.टी.-1/कन./35(1) (iii)/
89-आ.कर (छट)]

INCOME TAX

S.O. 2037.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (iii) of Sub-section (1) Section 35 (Thirty Five/one/three) of the Income tax Act, 1961 under the category "Institution" subject to the following conditions :

- The organisation will maintain a separate account of the sums received by it for Scientific Research;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

National Law School of India University,
Central College Campus,
Bangalore-560001.

This Notification is effective for the period from 1-4-90 to 31-3-91.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/ the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 203/F. No. DG/KT-6/Col/35(1)(iii)/89-JT(F)]

आयकर

का. आ. 2038—असर्वसाधारणकी सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन की, आयकर अधिनियम 1966 की धारा 35 (पैतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति में, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संघ" प्रदर्श के अधीन अनुमोदन किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यव, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

कोठारी इंस्टीट्यूट ऑफ मेडिकल साइंसेस,

9, ब्रेवोन रोड (5वीं मंजिल), कलकत्ता-700001

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तान माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सूझाव दिया जाता है। निवेद मासको से, जहां अनुमोदन आदेश उपर्युक्त दोन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदन आदेश प्राप्त करने के पश्चात् यथार्था अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[स. 201/फा. सं. डी.जी./डब्ल्यू.-1/कन./35(1) (ii)/
89-आ.कर (छट)]

INCOME TAX

S.O. 2038.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- The organisation will maintain a separate account of the sums received by it for Scientific Research;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Kothari Institute of Medical Sciences,
9, Brabourne, Road (5th floor),
Calcutta-700001.

This Notification is effective for the period from 1-4-90 to 31-3-91.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 204/F. No. DG/WB-2/Cal/35(1)(ii)[89-IT(E)]

ऑ. कर

का. आ. 2039—सर्वे साधारण की सूचना के लिए एतद्-द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी-अध्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

कर्नाटक इन्स्टीट्यूट ऑफ एम्प्लायड एग्रीकल्चरल रिसर्च समीरवाडी, जिला बीजापुर (587316) कर्नाटक

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक का अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अवस्था उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 205/फा. सं. डी.जी./के.टी.-11 कल./35(1)(ii)/89-आ.कर (छूट)]

INCOME TAX

S.O. 2039.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under clause 6 of the Income-tax Rules 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Karnataka Institute of Applied Agricultural Research,
Sameerwadi, Distt. Bijapur (587216)
Karnataka.

This Notification is effective for the period from 1-4-90 to 31-3-91.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 205/F. No. DG/KT-11/Cal/35(1)(ii)[89-IT(E)]

कलकत्ता, 7 जून, 1990

आयकर

का. आ. 2040—सर्व साधारण की सूचना के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 (पैरिस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी-व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

मुलजीबाई पटेल सोसाइटी फार रिसर्च इन नेफ्रो-यूरोलाजी डा० वीरेन्द्र देसाई मार्ग, नाडियाड-387001 (गुजरात)

यह अधिसूचना दिनांक 1-4-90 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 206/फा. सं. डी.जी./जी.-10/कल./35(1) (ii) 89-आ.कर (छूट)]

Calcutta, the 7th June, 1990

INCOME TAX

S.S. 2040.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department

of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Muljibhai Patel Society for Research in Nephro-Urology,

Dr. Virendra Desai Road, Nadiad-387001, Gujarat.

This Notification is effective for the period from 1-4-90 to 31-3-91.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 206/F. No. DG/G-10/Cal/35(1)(ii)/89-IT(E)]

कलकत्ता 21 जून, 1990

आयकर

का. आ. 2041—सर्व साधारण की सूचना के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैरिस/एक/तीन) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ साइकोमेट्री, एच. ग्रीनप्लाजा 117, बी. टी. रोड, कलकत्ता-700035; (दूसरा और तीसरा तल)

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियां में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 207/फा. सं. डी. जी/डब्ल्यू. बी.-/कल./35/(1) (iii)
89-आ.क. (छूट)]

Calcutta, the 21st June, 1990

INCOME TAX

S.O. 2041.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (iii) of Sub-section (1) of Section 35 (Thirty Five/one/three) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- The organisation will maintain a separate account of the sums received by it for Scientific Research :
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Indian Institute of Psychometry, 'Evergreen Plaza' (2nd and 3rd Floor), 117, B.T. Road, Calcutta-700035.

This Notification is effective for the period, from 1-4-89 to 31-3-90.

Note.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the Organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 207/F. No. DG/WB-7/Cal/35(1)(iii)89-IT(L)]

आयकर

का. आ. 2042—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैतीम/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक, व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

फाक्स रिसर्च सेंटर, आत्माराम भासोन, फ्लैट नं० 10 (दूसरा तल), कनाट प्लेस, नई दिल्ली 110001

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियां में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों

में जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 208/फा. सं. डी. जी./एम.ई.-6/कल./35/(1)(ii)
89-आ.क. (छट)]

INCOME TAX

S.O. 2042.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Forbes Research Centre, Atmaram Mansion, Flat No. 10 (2nd floor) Connaught Place, New Delhi-110001

This Notification is effective for the period from 1-4-89 to 31-3-1990

Note.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the Organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 208/F. No. DG/ND-6/Cal/35(U)(ii)89-IMP]

अधिकार

का. आ. 2042.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैनीम/एक/दो) की

उपधारा (1) के खण्ड (iii) के लिए संबंध, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति में, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

नेशनल इंस्टीट्यूट ऑफ़ बॉक मैनेजमेंट कोनार्थ रोड
पास्ट बक्स नं० 1, प्लान-111022

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 209/फा. सं. डी जी/एम -99/कल /35/(1)(iii)/
89-आ.क. (छट)]

INCOME TAX

S.O. 2043.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (iii) of Sub-section (1) of Section 35 (Thirty Five)

one/three) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

National Institute of Bank Management, Kondhwa Khurd, Post Bag No. 1, Pune-411022.

This Notification is effective for the period from 1-4-89 to 31-3-90.

Note.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the Organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 209/F. No. DG/M-99/Cal/35(1)(iii)/89-IT(E)]

अयकर

का. आ. 2044.—सर्वसाधारण की सूचना के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैरीस एक दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्थापक के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों

एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

यूनिवर्सल डिजिटल कम्युनिकेशन रिसर्च सेंटर, 46-ए, एम आई. जी. शेख सराय फेस-
मालविया नगर, नई दिल्ली-110009 श्रु श्रु

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कसकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अपना उत्तम अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 210/पा.सं.डी.जी.—एन.डी.-57/कल./35/(1)(ii)/89-आ.कर. (छूट)]

INCOME TAX

S.O. 2044.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific and Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/three) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Universal Digital Communication Research Centre,
46-A, M.T.G. Sheikh Sarai Phase-I, Malviyanagar,
New Delhi-110007.

This Notification is effective for the period from 1-4-89 to 31-3-90.

Note.—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the Organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No 210/E. No. DG/ND-57/Cal/35(1)(ii)/89-IT(E)]

आयकर

का. आ. 2045—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम की 1961 की धारा 35 (तीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों का एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

एल बी एस सेंटर फॉर साइन्स एण्ड टेक्नोलॉजी, एकमट्टा पुलिस रोड, नन्दा वनम, त्रिवेन्द्रम-695033

यह अधिसूचना दिनांक 1-4-89 से 31-3-91 तक की अवधि के लिए प्रभावी है।

टिप्पणी - संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों

में, जहाँ अनुमोदित आवेदन उपर्युक्त तीन माह की समाप्ति पर अवकाश उल अवधि की समाप्ति के तीन माह पूर्व प्राप्त हुआ हो, संगठन अनुमोदन आवेदन प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 211/फा. सं. डी.जी./के.-6/नन./35(1)(ii)/89 आ.कर (छूट)]

INCOME TAX

S.O. 2045.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax [Director of Income-tax (Exemptions) having jurisdiction over the organisation], by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

L. B. S. Centre for Science and Technology, Extra Police Road, Nandavanam, Trivandrum-695033, Kerala.

This Notification is effective for the period from 1-4-89 to 31-3-1990.

NOTE : The Organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax, the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval.

In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent direct to the Secretary, Department of Scientific & Industrial Research.

[No. 211/F. No. DG/K-6/Cal/35(1)(ii)/89-IT(E)]

आयकर

का आ 2046—सर्वसाधारण की सूचना के लिए एन द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35(पैरोस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी प्रार्थना पत्रनिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था"/प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इंडिया एजोसिएशन फॉर दि कल्चिवेशन ऑफ साइन्स जदवपुर, कलकत्ता-700032

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त

करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 212/प. सं. डी.जो./अख्य. बी०-30/कल./35(1)
(ii)/89-आ.कर (छूट)]

INCOME TAX

S.O. 2046.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Indian Association for the Cultivation of Science, Jadavpur, Calcutta-700032.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The Organisation is advised to apply (in triplicate) for further extension of the approval to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax [the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an ap-

plication for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 212/F. No. DG|WB-30|Cal|35(1)(ii)|89-IT(E)]
आयकर

का. आ. 2047.—मर्बसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक आयकर (छूट) द्वारा निम्नलिखित शर्तों पर “संस्था” प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रहेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकानों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी बय, आस्तियों एवं देदारियों के विवरण सहित (क) महानिदेशक आयकर (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

टाटा इन्स्टीट्यूट ऑफ फण्डामेंटल रिसर्च, होमी भाभा रोड,
बम्बई-400005

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे इस अनुमोदन का अधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 213/फा. सं. डी.जी./एम.-106 कल. 35(1)(ii)]/
89-आ. कर (छूट)]

INCOME TAX

S.O. 2047.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category “Association” subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Tata Institute of Fundamental Research, Homi
Bhabha Road, Bombay-400005.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The Organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 213/F. No. DG|M-106|Cal|35(1)(i)|89-IT(E)]

आयकर

INCOME TAX

का.आ. 2048—सर्वसाधारण की सूचना के लिए, एतद्द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैरास/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यवस्थापिकाओं एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

सुरतम हुत्तसींग हेल्थ फाउण्डेशन बम्बई मिच्युअल विल्डिंग दूसरी मंजिल रिलीफ रोड, अहमदाबाद-380001.

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[नं. 214/फा. स. डी.जी./जी. 9/कल./35(1)(ii),

89-आ.कर. (छूट)]

S.O. 2048.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five|one|two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Surottam Hutheesing Health Foundation, Bombay Mutual Building (2nd floor), Relief Road, Ahmedabad-380001

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 214/F. No. WG/G-9/Cal/35(1)(ii)/89-IT(E)]

का.आ. 2049.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

मुकुन्द फाउन्डेशन फार एग्रीकल्चर रिसर्च, 8वी, ईस्ट पेरी-समी रोड, पी. एस. पुरम, कोइम्बटूर-641002.

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, को माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विनोद मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना हैं।

[सं. 215/फा.सं.डी.जी./टी.एन.-16/कल./35(1)(ii)/89-आ.कर (छूट)]

INCOME TAX

S.O. 2049.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under

Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty Five) one two) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Mukund Foundation For Agricultural Research, 8B, East Periasamy Road, P.S. Puram, Coimbatore-641002.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the Order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as proval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 215/F. No. DG/TN-16/Cal/35(1)(ii) 89-IT(E)]

आयकर

का. आ. 2050.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और

औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

सि०सि० सोफ रिसर्च इंस्टीट्यूट 903, अन्सल भवन कस्तूरबा गांधी मार्ग नई दिल्ली-110001

यह अधिसूचना दिनांक 1-1-90 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपयुक्त तीन माह की समाप्ति पर अवधि उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 216/फा. सं. डी.जी./एन.डी.-61/कल./35(1)(ii)/90-आ.कर (छूट)]

INCOME TAX

S.O. 2050.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five|one|two) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

(i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

C.C. Shroff Research Institute, 903, Ansal Bhavan, Kasturba Gandhi Marg, New Delhi-110001.

This Notification is effective for the period from 1-1-1990 to 31-3-1990

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 216|F. No. DG|ND-61|Cal|35(1)(ii)|90-IT E)]

आयकर

का आ. 2051—सर्वसाधारण की सूचना के लिए एतद्द्वारा यह अधिवृत्त किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैरिस/एक/दो) की उपधारा (1) के खंड (ii) के लिए सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संग्रह प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 30 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इन्टर यूनिवर्सिटी सेंटर फॉर एस्ट्रोनमी एण्ड एस्ट्रो फीजी-कल, पोब नं० 4 गणेशखिंद पुना-411007

यह अधिसूचना दिनांक 20-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उर्वर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 217/फा. सं. डी.जी./एम.-77/कल./35(1)(ii)/90-आ.कर (छूट)]

INCOME TAX

S.O. 2051.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-Section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary,

Department of Scientific & Industrial Research, 'Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Inter-University Centre for Astronomy and Astrophysics, Post Bag No. 4, Ganeshkhind, Pune-411007

This Notification is effective for the period from 20-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 217/F. No. DG/M-77/Cal/35(1)(ii)/90-IT(E)]

आयकर

का. आ. 2052---सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैरिस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिये सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राविकारों अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/सदस्यों के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 30 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, नई दिल्ली (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ना है, को प्रस्तुत करना।

संगठन का नाम

अल रिसर्च एसोसिएशन पि० ओ० सन्डोज बाग अकबर, कैम्प रोड, थाना-400607

यह अधिसूचना दिनांक 20-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी - संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आवेदन उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ है, संगठन अनुमोदन कावेदन प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 218/फा. सं. डी.जी./एम.-101/कल./35(1)(ii)/90-आ.कर (छूट)]

INCOME TAX

S.O. 2052.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five) one/two of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Wol Research Association. P.O. Sandoz Baug, Akbar Camp Road, Thane-400607

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-Tax (Exemptions), Calcutta through the Commissioner of Income-tax the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 218/F. No. DG/M-101/Cal/35(1)(ii)/90-IT(E)]

आयकर

का. आ. 2053—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1982 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों

एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

साइन्स एण्ड टेक्नालॉजी इंटरप्रियून्स पार्क, गुरु नानक इंजीनियरिंग कॉलेज, लुधियाना-141006

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आवेदन उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 219/फा. सं. डी.जी./पी.-5/कल./35(1) (ii)/90
आ.कर (छूट)]

INCOME TAX

S.O. 2053.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemption) having jurisdiction over the organisation, by the 30th June each year a copy of its audited

annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Science and Technology Entrepreneur's Park, Guru Nanak Engineering College, Ludhiana-141006

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-Tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the applications for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 219/F. No. DG/P-5/Cal/35(1)(ii)/90-IT(E)]

आयकर

का.आ. 2054.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को; आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर वृत्ति-वसिटी प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

Patiala—147 001.

थापर इंस्टीट्यूट ऑफ इंजीनियरिंग एंड टेक्नालोजी,
पटियाला-147001

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 220/फा.सं.डी.जी./पी.-4/कल./35(1)(ii)/
90-आ.कर (छूट)]

INCOME TAX

S.O. 2054.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five/one/two) of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Thapar Institute of Engineering and Technology.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 220/F. No. DG/P-4/Cal/35(1)(ii)/90-IT(E)]

आयकर

फा.आ. 2055.—सर्वसाधारण की सूचना के लिए एतद्वारा अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (पैंतीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

साईं टेक सेन्टर, डलमल हाउस, नरीमन प्वाइन्ट, बम्बई-
400021

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर

आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 221/फा. सं. जी.जी./एम.-98/कल./35(1)(ii)/90-आ.कर (छूट)]

INCOME TAX

S.O. 2055.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Sci-Tech. Centre, Dalamal House, Nariman Point, Bombay—400 021.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before

the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 221/F. No. DG|M-98/Cal/35(1)(ii)/90-IT(E)]

आयकर

का.आ. 2056.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 (पैतीस/एक/दो) की उपधारा (1) के खण्ड (iii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

सेन्टर फार पोलिसी रिसर्च, धर्म मार्ग, चाणक्य पुरी, नई दिल्ली-110021

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहाँ अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करे। इस अनुमोदन की अवधि

बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 222/फा. सं. डी.जी./एन.डी.-60/कल./35(1)(iii)/
89-आ.कर (छूट)]

INCOME TAX

S.O. 2056.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (iii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Centre for Policy Research, Dharma Marg,
Chanakyapuri, New Delhi-110021.

This Notification is effective for the period from 1-4-1989 to 31-3-1990.

NOTE : The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax, the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 222/F. No. DG/ND-60/Cal/35(1)(iii)/90-IT(E)]

आयकर

का.आ. 2057.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 (वैसीस/एक/दो) की उपधारा (1) के खण्ड (ii) के लिए, सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था/प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक, लेखा-परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यय, आस्तियों एवं देनदारियों के विवरण सहित, (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

डा० जिवराज मेहता स्मारक हेल्थ फाउन्डेशन, डा० जिवराज मेहता मार्ग, एन. आर. आयोजन नगर, अहमदाबाद-380007

यह अधिसूचना दिनांक 1-4-89 से 31-3-90 तक की अवधि के लिए प्रभावी है।

टिप्पण : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 223/फा. सं. डी.जी./जी.-4/कल./35(1)(ii)/
89-आ.क. (छूट)]

INCOME TAX

आयकर

S.O. 2057.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (ii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax [Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Dr. Jivraj Mehta Smarak Health Foundation,
Dr. Jivraj Mehta Road, N. R. Ayojannagar,
Ahmedabad—380 007.

This Notification is effective for the period from 4-1990 to 31-3-1991.

NOTE : The organisation is advised to apply in triplicate for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 223/F. No. DG/G-4/Cal/35(1)(ii)/89-IT(E)]

का.सा. 2058—संवसाधारण की सूचना के लिए एतद्वारा यह अधिभूषित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 (पैंतीस/एक/तीन) की उपधारा (1) के खण्ड (iii) के लिए सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग की सहमति से, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी अर्थात् महानिदेशक (आयकर छूट) द्वारा निम्नलिखित शर्तों पर संस्था प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 30 जून तक लेखा परीक्षित वार्षिक लेखों की एक प्रति अपनी व्यव, आस्तियों एवं देनदारियों के विवरण सहित (क) महानिदेशक (आयकर छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में पड़ता है, को प्रस्तुत करेगा।

संगठन का नाम

इंस्टीट्यूट फार फाइनैन्शियल मैनेजमेंट एण्ड रिसर्च,
30 कोटारी मार्ग, पो० बक्स नं० 3330, नूनगमबक्कम,
मद्रास-34

यह अधिसूचना दिनांक 1-4-90 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी : संगठन को अनुमोदन की अवधि बढ़ाने के लिए अनुमोदन की समाप्ति के तीन माह पूर्व आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, को माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करने के लिए सुझाव दिया जाता है। विशेष मामलों में, जहां अनुमोदित आदेश उपर्युक्त तीन माह की समाप्ति पर अथवा उक्त अवधि की समाप्ति के ठीक पूर्व प्राप्त हुआ हो, संगठन अनुमोदित आदेश प्राप्त करने के पश्चात् यथाशीघ्र अनुमोदन की अवधि बढ़ाने के लिए आवेदन करें। इस अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 224/का.सं.डी.जी./टी.एन.-28/कल./35(1)(iii)/
89-आ.कर (छूट)]

जे. चक्रवर्ती, उपनिदेशक, (आयकर छूट)

INCOME-TAX

S.O. 2058.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, 1962, i.e., the Director General of Income-tax (Exemptions) in concurrence with the Secretary, Department of Scientific & Industrial Research for the purposes of clause (iii) of Sub-section (1) of Section 35 (Thirty Five) of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain a separate account of the sums received by it for Scientific Research;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Directorate General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 30th June each year

a copy of its audited annual accounts showing its income and expenditure, and its assets and liabilities.

NAME OF THE ORGANISATION

Institute for Financial Management & Research,
30, Kothari Road, Post Box No. 3330.
Nungambakkam, Madras-34.

This Notification is effective for the period from 1-4-1990 to 31-3-1993.

NOTE:—The organisation is advised to apply (in triplicate) for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/the Director of Income-tax (Exemptions) having jurisdiction over the organisation, three months before the expiry of the approval. In the exceptional cases where the order granting approval is received after the expiry of the period of three months aforesaid or shortly before the expiry of the said period, the organisation may make an application for extension of approval as soon as possible after the receipt of the order of approval. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 224/F. No. DG/TN-28/Cal/35(1)(iii)/89-IT(E)]

J. CHAKRABORTY, Dy. Director,
(I. T. Exemptions)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 17 जुलाई, 1990

का.मा. 2059.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1979 के खण्ड 8 के उपखंड (ज) के अन्वय में केन्द्रीय सरकार, एतद्वारा नीचे दी गई सारणी के कालम (2) में निर्दिष्ट व्यक्तियों को उक्त सारणी के कालम (3) में निर्दिष्ट व्यक्तियों के स्थान पर कालम (1) में निर्दिष्ट राष्ट्रीयकृत बैंकों का निर्देशक नियुक्त करती है :—

सारणी

1	2	3
1. युनाइटेड बैंक आफ इण्डिया	श्री एन. एन. मुखर्जी, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली ।	श्री म. नी. बुध
2. सेन्ट्रल बैंक आफ इण्डिया	श्री एन. एन. मुखर्जी, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली	श्री म. नि. बुध

1	2	3
3. बैंक आफ़ इंडिया	श्री बी. वी. सिन्हा, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली ।	श्री मन्त्रेश्वर झा
4. पंजाब नेशनल बैंक	श्री बी. बी. सिन्हा, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली ।	श्री एम. सी. सत्यवादी
5. केनरा बैंक	डा. पी. जे. नायक, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली ।	श्री मन्त्रेश्वर झा
6. बैंक आफ़ इंडिया	श्री च. वा. मीरचन्दानी, संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली ।	श्री एम. सी. सत्यवादी

[सं एफ. 9/7/90-बी.ओ-I(1)]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 17 July, 17, 1990

S.O...2059:—In pursuance of sub-clause (h) of clause 3 of the National Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in column (3) of the said Table :—

TABLE

(1)	(2)	(3)
1. United Bank of India	Shri N.N. Mookerjee, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri M.N. Buch

(1)	(2)	(3)
2. Central Bank of India	Shri N.N. Mookerjee, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri M.N. Buch
3. Bank of Baroda	Shri B.B. Sinha, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri Mantreshwar Jha
4. Punjab National Bank	Shri B.B. Sinha, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri M.C. Satyawadi
5. Canara Bank	Dr. P.J. Nayak, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri Mantreshwar Jha
6. Bank of India	Shri C.W. Mirchandani, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri M.C. Satyawadi

[No. F. 9/7/90-B.O. I (1)]

का.आ. 2060.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (ज) के अनुसरण में केन्द्रीय सरकार, एतद्वारा नीचे दी गई सारणी के कालम (2) में निर्दिष्ट व्यक्तियों को उक्त सारणी के कालम (3) में निर्दिष्ट व्यक्तियों के स्थान पर कालम (1) में निर्दिष्ट राष्ट्रीयकृत बैंकों का निदेशक नियुक्त करती है :—

सारणी

1	2	3
पंजाब एण्ड सिंध बैंक	श्री च. वा. मीरचन्दानी संयुक्त सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग) नई दिल्ली ।	श्री म. नी. बुध

1	2	3
ओरियंटल बैंक आफ कामर्स	श्रीमती अनिता कपूर उप सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग) नई दिल्ली ।	श्री मन्त्रेश्वर झा

[सं. एक. 9/7/90-बी.ओ.-I(2)]

S.O. 2060:—In pursuance of sub-clause (h) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby appoints the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in column (3) of the said Table :—

TABLE

(1)	(2)	(3)
1. Punjab and Sind Bank	Shri C.W. Mirchandani, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri M.N. NBuch
2. Oriental Bank of Commerce	Smt. Anita Kapur, Deputy Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	Shri Mantreshwar Jha

[No. F. 9/7/90-B.O. I(2)]

का०आ० 2061:—औद्योगिक वित्त निगम अधिनियम, 1948 (1948 का 15) की धारा 10 की उपधारा (1) के खण्ड (ख) के अनुसरण में, केन्द्रीय सरकार एतद्वारा वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली के संयुक्त सचिव डा० पी. जे. नायक, को श्री मनीष चन्द्र सत्यवादी के स्थान पर भारतीय औद्योगिक वित्त निगम के निदेशक के रूप में नामित करती है ।

[सं एक 9/7/90-बी. ओ. I (3)]

S.O. 2061.—In pursuance of clause (b) of sub-section (1) of section 10 of the Industrial Finance Corporation Act, 1948 (15 of 1948) the Central Government hereby nominates Dr. P. J. Nayak, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi as a Director of the Industrial Finance Corporation of India vice Shri M. C. Satyawadi.

[F. No. 9/7/90-BO.I(3)]

का०आ० 2062 भारतीय औद्योगिक पुनर्निर्माण बैंक अधिनियम, 1984 (1984 का 62) की धारा 10 की उपधारा (1) के खण्ड (घ) के उपखण्ड (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा डा० पी. जे. नायक, संयुक्त सचिव वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली को श्री मनीष चन्द्र सत्यवादी के स्थान पर भारतीय औद्योगिक पुनर्निर्माण बैंक के निदेशक के रूप में नामित करती है ।

[सं एक 9/7/90-बी०ओ० I (4)]

एम. एम. सीतारामन, अव्वर सचिव

S.O. 2062.—In pursuance of sub-clause (i) of clause (d) of sub-section (1) of Section 10 of the Industrial Reconstruction Bank of India Act, 1984 (62 of 1984) the Central Government hereby nominates Dr. P. J. Nayak, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Bank-

ing Division, New Delhi, as a Director of the Industrial Reconstruction Bank of India vice Shri M. C. Satyawadi.

[No. F. 9/7/90-BO.I(4)]

M. S. SEETHARAMAN, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 4 अगस्त, 1990

का. आ. 2063 :—केन्द्रीय सरकार के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के वाणिज्य मंत्रालय के आदेश सं. का. आ. 782 तारीख 1 मार्च, 1986 का संशोधन करने के लिए नीचे विनिर्दिष्ट कतिपय प्रस्ताव बनाएँ हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम II के उप नियम (2) द्वारा अपेक्षित रूप में निर्यात निरीक्षण परिषद् को भेज दिया है।

अतः अब, उक्त उप नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उन लोगों की जानकारी के लिए, जिनके उनसे प्रभावित होने की संभावना है, प्रकाशित करती है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के संबंध में कोई आपक्षेप या सुझाव भेजने की इच्छा रखने वाला कोई व्यक्ति उसे उस तारीख से जिसको उस राजपत्र, की जिसमें आदेश है, प्रतियाँ जनता को उपलब्ध कराई जाती है, 45 दिन के भीतर निर्यात निरीक्षण परिषद्, 11 वीं मंजिल, प्रगति टावर, 26, राजेन्द्र प्लेस, नई दिल्ली-110008 को भेज सकता है।

प्रस्ताव

केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के वाणिज्य मंत्रालय के आदेश सं. का. आ. 782 तारीख 01 मार्च, 1986 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त आदेश की अनुसूची में :—

(क) “क. काजू की गिरियाँ—सफेद साबुत” प्रवर्ग के अधीन “डब्ल्यू-280” और “डब्ल्यू-400” श्रेणी अभिधानों और स्तंभ 2 से 8 तक के अधीन उनसे संबंधित प्रविष्टियों का लोप किया जाएगा।

(ख) “ख. झुलसी हुई काजू की गिरियाँ—साबुत” प्रवर्ग के अधीन “एस डब्ल्यू-280” और “एस डब्ल्यू-400” श्रेणी अभिधानों और स्तंभ 2

से 8 तक के अधीन उनसे संबंधित प्रविष्टियों का लोप किया जाएगा।

(ग) “च. काजू की गिरियाँ (खराब टुकड़ों) प्रवर्ग के अधीन “डी एस पी”, “डी बी” और “डी एस” श्रेणी अभिधानों तथा स्तंभ 2 से 8 तक के अधीन उनसे संबंधित प्रविष्टियों का लोप किया जाएगा।

[फाइल सं. 6 (11) 89-ई आई एण्ड ई पी
गे. के. चौधुरी, निदेशक]

पात्र टिप्पण :

मूल आदेश का. आ. सं. 782 तारीख 01 मार्च, 1986 द्वारा भारत के राजपत्र, भाग-2, खंड -3, उपखंड (2) में पृष्ठ 804—832 पर प्रकाशित किया गया था।

MINISTRY OF COMMERCE ORDER

New Delhi, the 4th August, 1990

S.O. 2063.—Whereas in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act 1963 (22 of 1963), the Central Government has formulated certain proposals specified below for amending the Order of the Government of India in the Ministry of Commerce No. S.O. 782 dated the 1st March, 1986 and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty five days of the date on which the copies of the Official Gazette containing the order are made available to the public, to the Export Inspection Council, 11th Floor, Pragati Tower, 26, Rajendra Place, New Delhi-110008.

PROPOSALS

In exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following amendments in the order of the Government of India, in the Ministry of Commerce No. S.O. 782 dated the 1st March, 1986, namely :—

In the Schedule to the said order:—

- under category “A. CASHEW KERNELS—WHITE WHOLE,” Grade designations, “W-280” and “W-400” and the entries relating thereto under columns 2 to 8 shall be omitted;
- under category “B. SCORCHED CASHEW KERNELS—WHOLE,” Grade designations, “SW-280” and “SW-400” and the entries relating thereto under columns 2 to 8 shall be omitted;
- under category “F. CASHEW KERNELS (DESSERT PIECES)” Grade designations, “DSP”, “DB” and “DS” and the entries relating thereto under columns 2 to 8 shall be omitted.

[F. No. 6(11)/89-EI&EP]

A. K. CHAUDHURY, Director

FOOT NOTE :

The Principal Order was published vide S.O. No. 782 dated the 1st March, 1986 in the Gazette of India Part-II, Section-3, Sub Section (ii), pages 804-832.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 25 जनवरी 1990

का.आ. 2064—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.स. 1276 तारीख 2-5-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं. 29 से कूप नं. 15 से डबका जी.सी.एस. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : बड़ोदा तालुका : पादरा

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
पिडापा	592	0	13	00
	616	0	05	50
	590	0	03	00
	591	0	06	75
	589	0	11	10
	588	0	14	70
	585	0	06	75
	571	0	01	30
	570	0	00	20
	572	0	18	15
	574	0	12	15
	566	0	09	00
	565	0	11	25
	547	0	16	95
	548	0	06	75
कार्ट ट्रैक		0	01	20
	543	0	07	95
	523	0	13	35
	524	0	09	75
	525	0	09	75
कार्ट ट्रैक		0	01	35

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 25th January, 1990

S.O. 2064.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 1276 dated 2-5-1989 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification,

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

[No. O-11027/87/89-ONG D-III]

SCHEDULE

Pip line from Well No. 29 to Well No. 15 To Dabka GCS.

State : Gujarat District : Baroda Taluka : Padra

Village	Block	Hec- tare	Acre	Centi tiare
1	2	3	4	5
Pindapa	592	0	13	00
	616	0	00	50
	590	0	03	00
	591	0	06	75
	589	0	11	10
	588	0	14	70
	585	0	06	75
	571	0	01	30
	570	0	00	20
	572	0	18	15
	574	0	12	15
	566	0	09	00
	565	0	11	25
	547	0	16	95
	548	0	06	75
	Cart track	0	01	20
	543	0	07	95
	523	0	13	35
	524	0	09	75
	525	0	09	75
	Cart track	0	01	35

नई दिल्ली, 13 जुलाई, 1990

का.घा. 2065—यतः, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.घा.सं. 17 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (3) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और, आगे, उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी.एन.एस. से जी.एन.बी.डी. (एस.जी. 2) तक पाईप लाइन बिछाने के लिए
राज्य—गुजरात जिला—धनूष तालुका—वागरा

गांव	ब्लॉक नं.	हे.	घार	सन्टी.
अलावर	56पी	0	36	16

[सं. ओ.-11027/171/89-ओएनजीडी-III]

New Delhi, the 13th July, 1990

S.O. 2065.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 17 dated 6-7-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline,

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands

shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNAS TO GNBD (SG. 2)

State : Gujarat District : Bharuch Taluka : Vagor

Village	Block No.	Hecta- are	Are	Centi- are
Aladar	56/P	0	36	16

[No. O-11027/171/89-ONG-D.III]

का.घा. 2066—यतः, पेट्रोलियम और खनिज पाइपलाइन भूमि उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.घा.सं. 19 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और, आगे, उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी.एन.डी.एच. से झोएस तक पाई लाइन बिछाने के लिए
राज्य : गुजरात जिला—धनूष तालुका—वागरा

गांव	ब्लॉक नं.	हे.	घार	सन्टी
मुलेर	63	0	63	44

[सं. ओ.-11027/173/89-ओएनजीडी-III]

S.O. 2066.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 19 dated 6-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNDH TO E.P.S.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect- are	Are Centi- are
Mullar	63	0	63 44

[N.O-11027/173/89-D. III]

का.आ. 2067.— यतः, पेट्रोलियम और खनिज पाइपलाइन, भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. सं 108 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी थी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की तत्पश्चात् को निहित होगा।

अनुसूची

जी०एन० डी० यू० (जी आर० 7) से ई०पी०एस० तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भारुच	तालुका : वागरा
गांव		
गंधार	322 ए-बी	01 49 50

[सं० ओ०-11027/179/89/ओ० एन० जी० डी०-III]

S.O. 2067.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 108 dated 13-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNDU (GR-7) TO EPS.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect- are	Are Centi- are
Ganhar	322/A-B	01	49 50

[N.O-11027/179/89-ONGD.III]

का. आ. 2068.— यतः, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. सं 116 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट

भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी०एन०बी०डी० में जी०एन०बी०आई० तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भुख	तालुका : वागरा
गांव	ब्लॉक नं०	हे० आर० सेंटी०
पनीयादा	681	0 37 05

[सं. ओ०-11027/187/89-ओ०एन०बी०डी०-III]

S.O. 2068.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 116 dated 13-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNBD TO GNBI.

State : Gujarat District : Bhavnagar Taluka : Vagra

Village	Block No.	Hect- are	Are Centi- are
Paniyada	681	0	37 05

[No. O-11027/187/89-ONG-D-III]

का. आ. 2069.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. सं. 110 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था?

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. बी. आर. (जी. आर.-4) से ई.पी. एन. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : भुख तालुका : वागरा

गांव	ब्लॉक नं०	हेक्टेयर	आरे सेंटी.
ओखवेस	285	0	62 40

[सं. ओ.-11027/181/89-ओ०एन०बी०डी०-III]

S.O. 2069.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 110 dated 13-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNDR (GR-4) TO EPS.

State : Gujarat District : Bharuch Taluka : Vegra

Village	Block No.	Hecta- are	Are C. n. tiare
Chanchnol	285	0	62 40

[N. O. 11027/181/89-ONG-D.-III]

का. अ. 2070 :—यतः पेट्रोलियम और खनिज पदार्थवाहन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. अ. सं. 107 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए, पक्कू-द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए, तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, गैर-प्राप्त के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. ई. ई. मे ई. पी. एम. तक पक्कू लाइन बिछाने के लिए

राज्य : गुजरात जिला : भरुच तालुका : वागरा

गांव	ब्लॉक नं.	हेक्टेयर	आर०	सेंटीयर
वागरा	321	01	28	95
	322 ए-बी	01	18	56

[मं. अं.-11027/178/89-ओ एन जी-डी-III]

S.O. 2070.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 107 dated 13-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNEE TO EPS.

State : Gujarat District : Bharuch Taluka : Vegra

Village	Block No.	Hecta- are	Are C. n. tiare
Ganthehar	321	01	28 95
	322/A—B	01	18 56

[N. O. 11027/178/89-ONG. D.-III]

का. अ. 2071 :—यतः पेट्रोलियम और खनिज पदार्थवाहन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. अ. सं. 111 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची

में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आगम्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगी।

अनुसूची

जी.एन.जी.आर. (जा.आर.-4) से दही एस.नक पाईप लाईन बिछाने के लिए

गांव	ब्लॉक नं.	हे.	आर.	सेटी
देनवा	459	0	88	40

[सं. ओ-11027/182/89-ओ.एन.जी.-डी-3]

S.O. 2071.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 111 dated 13-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government direct that the right of user in the said lands ment directs that the right of user in the said lands on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNDR (GR-4) TO EPS.

State : Gujarat District : Bharuch Taluka : Amod

Village	Block No.	Hecta- re	Are	Centi- are
Denwa	459	0	88	40

[No. O—11027/182/89/ONG-D.III]

का. आ. 2072.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार को पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. सं. 11 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आगम्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगी।

अनुसूची

डी.जे.ए.आ. से दही जी.जी.एन.क.पाईप लाईन बिछाने के लिए

गांव	ब्लॉक नं.	हे.	आर.	सेटी
कोकीदाव	195	0	0	32
	138	0	03	20
	185	0	31	20
	183क	0	20	80
	183ख	0	30	03
	186	0	16	64

[सं. ओ.-11027/182/89-ओ.एन.जी.डी-III]

S.O. 2072.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 111 dated 6-1-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Govern-

ment declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of this publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM DJAG TO DAHEJ GGS.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hecta- are	Are	Centi- are
Koliad	195	0	08	32
	138	0	05	20
	185	0	31	20
	183 A	0	20	80
	183 B	0	30	03
	186	0	16	64

[No. O—11027/162/89-ONG-D.III]

का. अ. 2073—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. अ. सं. 28 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना अधिकार घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और अतः, यतः केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और अतः, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों 1941-GI:90-6

में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और अतः उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. बीडी से जी. एन. बी. आई तक पाईप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका :	वागरा
गांव	ब्लॉक नं.	हे.	घर. सेंटीमीटर
अलावडा	54	0	40 82
58 बाग	1	21	11
सरकारी बाग	0	02	86
53	0	19	83
52	0	49	01
काटे टूक	0	01	69
51	0	27	82
56	0	26	82
111	0	18	85
109	0	17	65
काटे टूक	0	05	30
112	0	39	00

[सं. पी.-11027/169/89-ओएनजी.डी.-3]

S.O. 2073.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas O:5 No. 28 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNBD TO GNBI.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hecta- are	Are	Centi- are
Aladar	54	0	40	82
	56 Part	1	21	11
	Govt. Bund	0	02	86
	53	0	19	63
	52	0	49	01
	Cart Track	0	01	69
	51	0	27	82
	56	0	26	52
	111	0	18	85
	109	0	17	65
	Cart track	0	05	30
	112	0	39	00

[No. O—11027/169/89-ONG-D.III]

का. आ. 2074—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. 16 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना अधिकार घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाना है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्णय लेती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी आयातों से मुक्त रूप में, घोषणा के प्रकाशन की 15 तारीख को निहित होगी।

अनुसूची

जी. एन. बी. ई. से जी. एन. ए. एफ. तक पार्श्व साईट बिछाने के लिए राज्य - गुजरात जिला - भरुच तालुका - ग्रामोव

गाँव	ब्लॉक नं.	है	अर	सेन्टी
1	2	3	4	5
केनवा	763	0	21	90
	764	0	04	20
	765	0	06	58
	736	0	46	15

1	2	1	3	4	5
		737	0	01	00
		731	0	19	77
		626	0	00	25
		625	0	09	03
		624	0	05	98
		623	0	14	17
		621	0	02	60
		620	0	04	29
		619	0	07	80
		618	0	10	40
		617	0	00	30
		616	0	07	28
		615	0	07	38
		588	0	04	94
		587	0	02	34
		586	0	04	22
		585	0	03	33
		584	0	08	06
		544	0	19	76
		583	0	05	20
		545	0	19	24
		546	0	09	14
		536	0	01	87
		547	0	07	80
		528	0	18	07
		527	0	12	68
		513	0	03	20

[मं. प्रो. - 11027 167/89/प्रो एन जी सी - (III)]

S.O. 2074.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 16 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNBE TO GNAF.

State : Gujarat District : Bharuch Taluka : Amod

Village	Block No.	Hectare	Are	Centiare
1	2	3	4	5
Denwa	763	0	21	90
	764	0	04	20
	765	0	06	58
	736	0	46	15
	737	0	01	00
	731	0	19	77
	626	0	00	25
	625	0	09	08
	624	0	05	98
	623	0	14	17
	621	0	02	60
	620	0	04	29
	619	0	07	80
	618	0	10	40
	617	0	00	30
	616	0	07	28
	615	0	07	38
	588	0	04	94
	587	0	02	34
	586	0	04	22
	585	0	03	38
	584	0	08	06
	544	0	19	76
	583	0	05	20
	545	0	19	24
	546	0	09	14
	536	0	01	87
	547	0	07	80
	528	0	18	07
	527	0	12	66
	513	0	03	20

[No. O-11027/167/89-ONG-D.III]

क्र. घ. 2075—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अधिनियम 1962, (1962 का 50) की धारा 3 की उपधारा (i) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना क्र. घा. सं. 15 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अथवा आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार अर्जित करने का विनिश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (i) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए प्राप्त होना अर्जित किया जाता है।

और यतः उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग के अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस उपयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख की निहित होगी।

अनुसूची

रेखा-1 से नाडा-1 तक पाइपलाइन बिछाने के लिए।

राज्य- गुजरात जिला- भरुच तालुका- जनुसर

गांव	वर्ग म. है.	घा. सं.	सेन्टी.	
1	2	3	4	5
नाडा	1570	0	04	16
	1569	0	28	08
	1568	0	02	08
	1567	0	32	24
	1566	0	05	20
	1640	0	14	95
	1640	0	15	08
	1640	0	05	59
	1400	0	07	28
	1401	0	00	52
	1403	0	03	84
	1564	0	03	84
	1564	0	18	52
	1562	0	05	72
	1560	0	07	42
	1559	0	12	48
	1528	0	11	44
	1530	0	03	84
	152	0	00	12

[सं. घो- 11027/170/89- घो एनजी सी- III]

S.O. 2075.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 15 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Rena-1 to Nada-1.

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec- tare	Acre	Centi- tiare
Nada	1570	0	04	16
	1569	0	28	08
	1568	0	02	08
	1567	0	32	24
	1566	0	05	20
	1640	0	14	95
	1640	0	15	08
	1640	0	05	59
	1400	0	07	28
	1401	0	00	52
	1403	0	03	84
	1564	0	03	84
	1564	0	18	52
	1562	0	05	72
	1560	0	07	28
	1559	0	12	48
	1528	0	11	04
	1530	0	30	84
	1529	0	00	12

[No. O-11027/170/89-ONG-D. III]

का.सा. 2076—यतः पेट्रोलियम और खनिज पाइपलाइन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.सा. सं. 27 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिनियम को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः संश्लेष अधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (i) के अधीन सरकार को रिपोर्ट दे दी है।

और धनियतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, यतः उक्त अधिनियम की धारा 6 की उपधारा (i) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वैश्व है कि उक्त भूमियों में उपयोग का अधिकार अर्जित केन्द्रीय सरकार में निहित होने की वजह से और प्राकृतिक गैस प्रयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा को प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. बी. ई. से जी. एन. ए. एक तरफ पाइप लाइन बिछाने के लिए।

राज्य - गुजरात जिला - धरुच तालुका - जाम्बुसर

गांव	ब्लॉक नं.	है.	घर.	सेन्टी.
1	2	3	4	5
मोहरोल		0	02	70
	617	0	03	79
	618	0	10	40
	620	0	08	71
	627	0	06	56
	630	0	17	16
	632	0	03	25
	634	0	12	48
	662	0	08	84
	661	0	08	58
	647	0	04	42
	648	0	20	06
	645	0	01	50

[सं. प्रो-11027/161/89-ओएनजी सी ((iii))]

S.O. 2076.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 27 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

1	2	3	4	5
	421	0	07	20
	416	0	25	74
	459	0	05	14
	465	0	12	32
	464	0	05	15
	463	0	07	30
	468	0	03	08
	482	0	05	92
	524	0	15	45
	523	0	10	30
	521	0	07	20
	557	0	04	12
	666	0	15	44
	660	0	05	15
	661	0	15	44
	665	0	07	20
	658	0	07	00
	656	0	13	40
	713	0	07	20
	714	0	05	20
	716	0	06	20
	717	0	04	12
	718	0	06	20
	719	0	08	25
	720	0	08	40
	721	0	03	10

[No. O-11027/161/89-ONG-D.II]

का. घा. 2077—यत्. पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस संस्थान की अधिसूचना का. घा. सं. 114 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का प्रस्ताव आशय घोषित कर दिया था।

और यत्. संश्लेष प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (i) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यत्. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यत्. उक्त अधिनियम की धारा 6 की उपधारा (i) द्वारा प्रदत्त शक्त का प्रयोग करते हुए केन्द्रीय सरकार एतादृश प्रावधान करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाना है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने का बहाल लेव और प्राकृतिक गैस आयोग में, सभी बहालों के नुकसान रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

पर बाजिन 1 से इन्क्यू एच थार क्षेत्र तक पार्श्व लाइन बिछाने के लिए।

राज्य - गुजरात जिला - धरुच तालुका - पामरा

गाँव	ब्लॉक नं.	हे.	घा.	मंटी.
1	2	3	4	5
कलावण	432	0	22	65
	432	0	07	20

[सं. घा - 11027/165/89 - वा एन जी - बी (III)]

S.O. 2077.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 114 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Pakhajan-I to WHI Dahej.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centi-are
1	2	3	4	5
Kaladra	432	0	22	65
	422	0	07	20
	421	0	07	20
	416	0	25	74
	439	0	05	14
	465	0	12	32
	464	0	05	15
	463	0	07	30
	468	0	03	08
	482	0	05	92
	524	0	15	45
	523	0	10	30
	521	0	07	20
	557	0	04	12
	666	0	15	44
	667	0	05	15
	661	0	15	44
	665	0	07	20
	658	0	07	00
	656	0	13	40
	715	0	07	20
	714	0	05	20
	716	0	06	20
	717	0	04	12
	718	0	06	20
	719	0	08	25
	720	0	08	40
	721	0	03	10

[No. O-11027/183/89-ONG-D-III]

का. घा. 3078.—यतः पेट्रोलियम और नैजि पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3-क उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. घा. सं. 12 तारीख-6-1-90 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अथवा आशय घोषित कर दिया था।

और यतः सश्रम प्राधिकारों ने उक्त अधिनियम का धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करती है एवंत इस अधिसूचना से संलग्न भूमियों में निम्नलिखित भूमियों का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न भूमियों में निम्नलिखित उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निश्चय लेती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, बोधना के प्रयोजन की इस शर्त को निहित होगा।

धनुसूची

जी एनडी एच से एक एस तक पाइप लाइन बिछाने के लिए

राज्य - गुजरात जिला - भरुच तालुका - वागरा

गांव	ब्लॉक नं.	हे.	घा.	सेन्टी
1	2	3	4	5
गंधार	322/ए-बी	3	04	88

[सं. घा - 11027/166/89/का. एन. जा. डो-(III)]

S.O. 2078.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 12 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances

SCHEDULE

Pipeline from GNDH to E.P.S.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centi-are
Gandhar	322/A-B	3	04	88

[No. O-11027/166/89-ONGD-III]

का. प्रा. 2079.—यतः पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. प्रा. सं. 20 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राथम्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और ध्याते, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और ध्याते उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. डी. एक्स से ई. पी. एस. तक पाइप लाइन बिछाने के लिए
राज्य : गुजरात जिला : भरुच तालुका : वागरा

गांव	ब्लॉक नं.	हे.	घर.	सेंटी-
गंधार	321	0	31	20
	322 क/ख	0	97	76

[सं. प्रो.-11027/162/89/प्रो. एम. जी. डी.-III]

S.O. 2079.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 20 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the Schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification.

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in Schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDG to E.P.S.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centi-are
Gandhar	321	0	31	20
	322/A-B	0	97	76

[No. O-11027/162/98-ONG. D-III]

का. प्रा. 2080.—यतः पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. प्रा. सं. 112 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राथम्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और ध्याते यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और ध्याते उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की तारीख को निहित होगा।

अनुसूची

जी. एन. डी. एक्स. (जी. एन. डी. 4) से ई. पी. एस. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : भरुच तालुका : वागरा

गांव	ब्लॉक नं.	हेक्टेयर	घर.	सेंटीयर
गंधार	322/क-ख	01	11	80

[सं. प्रो.-11027/183/89-प्रो. एन. जी. डी.-III]

S.O. 2080.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 112 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962

(50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDR (GR-4) to EPS

State : Gujarat	District : Bharuch	Taluka : Vagra		
Village	Block No.	Hec- tare	Are	Centi- tare
Gandhar	322/A-B	01	11	80

[No. O-11027/183/89-ONGD-III]

का.सा. 2081.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.सा.सं. 18 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जन करने का अपना प्राण्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी.एन.जी.सी. से इपीएस तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात		जिला : भारुच		तालुका : वागरा		
गांव	ब्लॉक नं.	हे.	घार.	सेंटी		
चांचपेल	281	0	17	68		
	282	0	64	48		
	284	01	64	32		

[सं. ओ.-11027/172/89-ओ.एन.जी.सी.-III]

S.O. 2081.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 18 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM GNDG TO E.P.S.

State : Gujarat	District : Bharuch		Taluka : Vagra	
Village	Block No.	Hectare	Are	Centiare
Chanchpel	281	0	17	68
	282	0	64	48
	284	01	64	32

[No. O-11027/172/89-ONGD-III]

का.सा. 2083.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.सा.सं. 13 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जन करने का अपना प्राण्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी एन ए आर्टि से ई पी एन तक पाईप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : वागरा			
गांव	ब्लॉक नं.	हे.	अर.	सेंटी	
मल्लर	1	0	39	52	

[सं. ओ -11027/163/89-प्रो.एन.जी.सी.-III]

S.O. 2082.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 13 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNAI to EPS

State : Gujarat	District : Bharuch	Taluka : Vagra			
Village	Block No.	Hec-tare	Are	Centi-are	
Muller	1	0	39	52	

[No. O-11027/163/89-ONGD-III]

का.आ. 2083:—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.सं. 115 तारीख 1-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और अतः, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एन.जी.सी. घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एन.जी.सी. अर्जित किया जाता है।

और अतः उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निश्चय देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप से, बाधना के प्रकाशन की इस शर्त के विहित होगा।

अनुसूची

जी.एन.डी.एल. से ई.पी.एन. तक पाईप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : वागरा			
गांव	ब्लॉक नं.	हेक्टेयर	अर.	सेंटी	
चंचवल	284	0	45	76	

[सं. ओ -11027/186/89-प्रो.एन.जी.सी. III]

S.O. 2083.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S. O. No. 115 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDL to EPS

State : Gujarat	District : Bharuch	Taluka : Vagra			
Village	Block No.	Hec-tare	Are	Centi-are	
Chanchwel	284	0	45	76	

[No. O-11027/186/89-ONGD-III]

का.आ. 2084:—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.सं. 14 तारीख 6-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, योजना के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

डी.एन.बी.ए. से जो.एन.ए. ए.ए. तक पाइप लाईन बिछाने के लिए।

राज्य :—गुजरात	जिला :—महसवा	तालुका :—अमोद		
गांव	ब्लॉक नं.	है.	आर.	सेन्टीयर
1	2	3	4	5
वलीपार	170	0	28	57
	177	0	01	94
	175	0	14	43
	174	0	05	59
	159	0	23	14
	131	0	02	53
	130	0	03	12
	129	0	05	07
	127	0	20	15
	91	0	27	62
	98	0	31	74
	102	0	00	31
	103	0	00	93
	104	0	08	05

[सं. ओ.-11027/168/89-ओ.एन.जी.डी.-III]

S.O. 2084—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 14 dated 6-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government:

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNBE to GNAF

State : Gujarat	District : Bharuch	Taluka : Amod		
Village	Block No.	Hec-tare	Ac-re	Centi-are
Valipur	170	0	28	57
	177	0	01	94
	175	0	14	43
	174	0	05	59
	159	0	23	14
	131	0	02	53
	130	0	03	12
	129	0	05	07
	127	0	20	15
	91	0	27	62
	98	0	31	74
	102	0	00	31
	103	0	00	93
	104	0	08	05

[No. O-11027/168/89-ONG. D-III]

का.आ. 2085— यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.सं. 2954 तारीख 25-11-89 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइन बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, योजना के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

उदयपुर एन.ए.ए. से जी.एन.ए.ए. तक पाइप लाईन बिछाने के लिए।

राज्य : गुजरात	जिला व तालुका : महेशवा			
गांव	ग.सं.	है.	आर.	सेन्टी.
हड़वा हनुमन्	301 फ.	0	13	20

[सं. ओ.-11027/91/89-ओ.एन.जी.डी.-III]

S.O. 2085.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2954 dated 25-11-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from WSSA to GGS SOB-I

State : Gujarat District Taluka : Mehsana

Village	Survey No.	Hec-tare	Arc	Centiare
Henda-Hanmant	30/P	0	13	20

[No. O-11027/91/89-ONG. D-III]

का.आ. 2086—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अन्तर्गत भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. सं. 11 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना व संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना अग्रय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की पधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तब और प्राकृतिक गैस अधिनियम में, सभी बाधाओं से मुक्त रूप में पाइपलाइन के प्रकाशन की इस तात्पर्य को निहित होगा।

अनुसूची

ज. एन. ई. डी. (ज. आर. 16) से ई. पी. एन. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : धारुच	तालुका : वाग्रा		
ग्राम	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टिआर
गंधार	321	01	89	28
	/ए-बी	01	14	40

[सं. ओ. 11027/184/89-ऑ. एन. जी. डी.-III]

S.O. 2086.—Whereas by notification of the Government of India in the Ministry of petroleum and Natural Gas S.O. No. 113 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from G NFB (CR-16 TO EPS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Arc	Centiare
GANDHAR	321	01	89	28
	322/A-B	01	14	40

[No. O-11027/184/89-ONG D-III]

का. आ. 2087—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. सं. 103 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार ने तद्विधित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी.एन.डी.ओ. सं. ई.पी.एस. तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात जिला : मरुच तालुका : वागरा

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
	322ए-बी	01	62	88

[सं. ओ. 11027/174/89-ओ.एन.जी.डी.-III]

S.O. 2087.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 109 dated 13-6-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDJ to EPS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec- tare	Acre	Con- tains
GANDHAR	321	01	89	28
Gandhar	322/A-B	01	62	88

[No. O-11027/174/89-ONG D-III]

का.आ. 2088—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. सं. 105 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. डी. ए. सं. ई. पी. एस. तक पाइप लाइन बिछाने के लिए।
राज्य - गुजरात जिला - मरुच तालुका - वागरा

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
गंधार	322/ए-बी	01	18	40

[सं. ओ. - 11027/174/89 - ओ. एन. जी. डी. - III]

S.O. 2088.—Whereas by notification of the Government of India in the Ministry of petroleum and Natural Gas S.O. No. 105 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDL to EPS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec- tare	Acre	Cent tiare
Gandhar	322/A-B	02	18	40

[No. O-11027/176/89-ONG-D III]

का. आ. 2089.—यतः पेट्रोलियम और खनिज पदार्थवाहन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अधीन भारत सरकार पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ सं. 106 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पदार्थवाहनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः महम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि एत अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पदार्थवाहन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित हल में अर्जित होने और प्राकृतिक गैस आयोग से, सभी वादाओं में भूतत्त्व रूप में घोषणा के प्रकथन की इस शर्त पर भी निहित होगा।

प्रत्युत्तरी

जी. एन. ओ. एन. से ई. पी. एन. तक पार्श्व लाईन बिछाने के लिए।

राज्य - गुजरात जिला - भारुच तालुका - वाग्रा

गांव	ब्लाक नं.	हेक्टर आर.	गैन्टीयर	
1	2	3	4	5
गंधार	322/ए-बी	01	98	12

[ग. ओ - 11027/177/89 - ओ. एन. जी.डी.-III]

S.O. 2089.—Whereas by notification of the Government of India in the Ministry of petroleum and Natural Gas S.O. No. 106 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDL to EPS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec- tare	Acre	Cent tiare
Gandhar	322/A-B	01	98	12

[No. O-11027/177/89-ONGD-III]

का. आ. 2090 यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. सं. 109 तारीख 13-1-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची से विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए पक्षद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से और प्राकृतिक गैस आयोग में, सभी बातों से युक्त रूप से, धोरण के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जो. एन. जी. ई. से ई. पी. एम. त्रुपाहा लाइन बिछाने के लिए राज्य - गुजरात जिला - मरुच तालुका - वागरा

गांव	प्लॉक नं.	हेक्टेयर आर.	सेन्टीयर
गंधार	322 ए-बी	01	91 09

[स. ओ-11027/180/89-ओ एन जी सी-III]

के विवेकानन्द, डेस्क अधिकारी

S.O. —Whereas by notification of the Government of India in the Ministry of petroleum and Natural Gas S.O. No. 109 dated 13-1-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDE to EPS

State : Gujarat	District : Bharuch	Taluka : Vagra
Village	Block No.	Hec- Arc Cent- tare tiare
Gandhar	322/A-B	01 91 09

[No. O-11027/180/89-ONG D-III]
K. VIVEKANAND, Desk Officer

प्रथम मंत्रालय

नई दिल्ली, 9 जुलाई, 1990

का. आ. 2091.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार, मै. सेंट्रल कोयफील्ड्स लि. टाल्चर के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण उड़ीसा भुवनेश्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6 जुलाई 1990 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi the 9th July, 1990

S.O. 2091.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Orissa Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Central Coalfields Limited Talcher and their workmen, which was received by the Central Government on 6-7-90.

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA : BHUBANESWAR
PRESENT :

Shri S. K. Misra, L.L., B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute case No. 6 of 1985 (CENTRAL)
Dated, Bhubaneswar, the 26th June, 1990

BETWEEN :

1. The Management of M/s. Central Coalfields Limited,
Talcher.

2. M/s. R. K. Constructions, Talcher.

.. First Party Management.

Vrs.

Their workmen, represented through the Talcher Coal-
mines Employees Union, Talcher, Dist, Dhenkanal.
.. Second Party-workmen.

APPEARANCES

- Sri R. K. Katare, Dy. Personnel Manager.
..For the First-Party-Management.
1. Sri D. C. Mohanty. Working President of the Union.
For the second party-workmen.
2. Sri A. K. Ray. General Secretary of the Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred upon them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their Order No. J-19011(25)/84-D.IV(B) dated 20th May, 1985 have referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of M/s. Central Coalfields Limited, Talcher in retrenching S/Shri N. C. Pradhan and 97 others whose names are given with effect from 25-9-81 is legal and justified? If not, to what relief the workmen are entitled?”

Sl. Name of the workmen.
No.

1. Nimai Charan Pradhan
2. Gobinda Pradhan
3. Bijaya Behera
4. Ekadusia Swain
5. Chhabi Garnaik
6. Raghu Maharana
7. Sadananda Moharana
8. S. N. Biswal
9. Nrusingha Behera
10. Duryodhan Behera
11. Kumar Pradhan
12. Birabara Bhukta
13. Natha Behera
14. Suresh Sahoo
15. Kamar Bhukta
16. Prashna Kumar Swain
17. Sansar Behera
18. Kutartha Behera
19. Udayanath Pradhan
20. Sri Joginath Bisoi
21. Sukadev Sahoo
22. Purna Chandra Behera
23. N. P. Rout
24. K. C. Naik
25. Basanta Kumar Naik
26. Nilamani Naik
27. Duryodhan Behera (B)
28. Sanatan Gope
29. Gangaram Sinku
30. Surendra Pingua
31. Parsuram Gope
32. Dhusan Pradhan
33. Ananta Pradhan
34. Dasarathi Sahu
35. Sarat Ch. Sahoo
36. Kishore Sahu
37. Purna Behera
38. Bauri Behera
39. Balakrushna Swain
40. Paya Behera
41. Girish Barik
42. Mahendra Gope
43. Prafulla Barik
44. Basant Ku. Behera
45. Kumar Sahoo
46. Balavva Sahoo
47. Sarat Ch. Pattnaik
48. Sudhakar Naik
49. Panchanan Naik
50. Prahallad Naik
51. Sudarsan Gope
52. Ghujhla Majhi
53. Gopal Sahoo
54. Duryadhan Behera
55. Rabi Chandra Sahoo

Sl. Name of the workmen.
No.

56. Dinabandhu Sabhou
57. Pramoda Sahoo
58. Srinibash Behera
59. Karuna Pradhan
60. Ratana Pradhan
61. Trilochan Sahoo
62. Rabi Lenka
63. Ananta Maharana
64. Banchha Nayak
65. Ramesh Biswal
66. Mukadhar Singh
67. Kasinath Biswal
68. Chingudi Naik
69. Basanta Naik
70. Bhaskar Pradhan
71. Ananda Maharana
72. Ramesh Sahoo
73. Tikan Sahoo
74. Banamali Behera
75. Gangadhar Sahoo
76. Sarat Chandra Pattnaik
77. Srinibash Behera
78. Antaryami Sahu
79. Narayan Dash
80. Dibakar Dehury
81. Manu Sahoo
82. Dharani Naik
83. Gadi Prusty
84. Sridhara Ghatia
85. Keshaba Naik
86. Rama Chandra Naik
87. Bipin Sahoo
88. Satyananda Gadanayak
89. K. Mini
90. Prafulla Kumar Mohanty
91. Keshab Ch. Nuyak
92. Kailash Swain
93. Suresh Ch. Sahoo
94. Golakha Nayak
95. Laxmidhar Pradhan
96. Ratana Pradhan
97. Kusa Dash
98. Baribandhu Das.

2. The second party-workmen represented by the General Secretary of the Talcher Coalmines Employees' Union (AITUC) averred in the statement of claim filed on their behalf that the said workmen were recruited by the Management of M/s. Central Coalfields Ltd., Talcher (for short the Management) in the year 1979 for working at different work sites including at the cross country conveyor belt project at Jagannath Colliery. After such recruitment they continuously worked under the Management until 25-9-81 when their services were terminated. It is alleged that such termination of their services amounted to retrenchment but the same having been brought about in contravention of the provisions of Section 25-F and 25-H of the Industrial Disputes Act, 1947 is illegal and unjustified. The further plea of the workmen is that the management with a view to avoiding its liability in respect of the workmen advanced a false plea that the workmen were employed by a contractor, named, M/s. R. K. Constructions engaged by it and as such there was no employer and employee relationship between the Management and the workmen. The workmen alleged that the Management never engaged any such contractor, registered as a Contractor under the provisions of the Contractor Labour (Regulation & Abolition) Act and the workmen were never employed by any such contractor. According to the workmen, even if there was any such contractor the management as the principal employer, can not escape its liability for such illegal retrenchment made by the so called contractor. On the basis of the aforesaid pleas the workmen demanded reinstatement with back wages.

3. The Management filed written statement challenging the maintainability of the reference and contending that it is misconceived, in as much as, the workmen with whom it had no employer and employee relationship were not

retrenched by it. The plea of the Management in this connection is that for construction of a cross country link conveyor from Jagannath Colliery of the Central Coalfields Ltd. to Talcher Thermal Power Station, notices were issued by the Management, calling for tenders for supply of labour. M/s. R. K. Construction, Talcher was a tenderer and his tender having been accepted, work orders were issued to him. As per the agreement, the said M/s. R. K. Construction, Talcher supplied the labour for the work which commenced on 25-11-79 and closed by the end of September, 1981, on completion. As per the general terms and conditions of the contract entered into between the Management and the contractor M/s. R. K. Construction, Talcher, the contractor was liable to comply with the provisions of the Minimum Wages Act and other labour laws as are applicable. The said contractor had furnished security deposit including earnest money for indemnifying in case the company incurred any liability on behalf of the contractor during the period of contract. It is the plea of the Management that since the workmen were employed by the said contractor for the aforesaid cross country conveyor belt project and the construction work of the cross country link conveyor belt was completed by the end of September, 1981, the services of the workmen were terminated by the contractor. After termination of employment of the workmen, Talcher Mazdoor Sabha, which was representing the workmen during that period, raised industrial dispute on some demands which were taken up for conciliation. After conciliation, a tri-partite settlement was signed between the representatives of the Talcher Mazdoor Sabha, the Management and the Asst. Labour Commissioner (Central), Bhubaneswar on 16-1-82. Thereafter on 1-3-83 the Management issued a notice calling upon the workmen concerned to intimate by 15-3-83 if they had any claim against the said contractor because the security deposit made by the said contractor was to be released. According to the Management, similar notices were also issued subsequently but no claim was received. On 3-5-83, the General Secretary of the Talcher Mazdoor Sabha intimated the Management that M/s. R. K. Construction had already paid all the dues of the workmen engaged in the aforesaid construction work. On 14-6-83 sanction was accorded in favour of M/s. R. K. Construction for release of his security deposit in part. The Management's case is that after these events, another trade union, named Talcher Coalmines Employees' Union (AITUC) which was no where in the picture, came forward and raised the present dispute alleging that the second party-workman had been illegally retrenched by the Management. The Management denied the allegation of the second party that there had been retrenchment of the workmen and contended that their employment came to an end only on account of the completion of the construction work of the cross country conveyor project necessitating closure of the said establishment.

4. On the aforesaid pleadings, the following issues were framed by my predecessor for determination in this proceeding.

ISSUES

(1) Whether the reference is maintainable ?

(2) (a) Whether there exists relationship of employer and employee between the Management of C.C.I. and the workmen ?

(b) Whether the members of the second party are the employees of R. K. Construction ?

3. Whether the workmen have been retrenched from their services and whether the retrenchment, if any, is legal and/or justified ?

4. To what relief, the workmen are entitled ?

5. At the instance of the First Party-Management, M/s. R. K. Construction, Talcher was added as a First Party No. 2 in this proceeding by order dated 12-5-87 passed by my predecessor.

The First Party, namely the Management of the Central Coalfields Ltd., Talcher filed a petition praying for impleading M/s. R. K. Construction, Talcher as a

party to the reference. Notices were issued to the said M/s. R. K. Construction to show cause as to why it should not be added as a party as prayed for by the Management but those could not be served on it. Its whereabouts could not be ascertained and therefore, there was a publication of the notice in the daily 'The Samaj' on 14-4-87 but there was no response. Ultimately, by an order passed on 12-5-87 by my predecessor M/s. R. K. Construction was added as First Party No. 2 in this proceeding. Thereafter also notices were issued to the said M/s. R. K. Construction, Talcher but the same could not be served. Ultimately, the said M/s. R. K. Construction was set aside.

6. In this reference initially four witnesses were examined for the Management and two for the workmen and the case was posted for hearing of arguments. Submissions were made by both parties seeking time for amicable settlement of the dispute and for such purpose time was allowed to both parties till 29-3-88 for filing memorandum of settlement and on failure to advance arguments. On 29-3-88, on behalf of the Management prayer was made for incorporation of a plea in its written statement to the effect that the work in which the second party workmen had been engaged was of a casual and temporary nature by way of amendment. The said prayer was allowed. Thereafter, on behalf of the Management prayer was made that since the question as to the temporary and casual nature of work in which the second party-workmen had been employed required the decision of the appropriate Government under the provisions of the Contract Labour (Regulation & Abolition) Act, the matter should be referred to the Central Government and pending decision on the said question by the Central Govt., further proceeding in the reference should be deferred. An order was passed on that day that the matter as to whether the question raised by the First Party that the concerned work in which the second party-workmen had been engaged of temporary and casual nature and if such question needed reference to the appropriate Govt for decision, would be dealt with while making the award and the case was posted to 29-4-88 for award. This order was, however, challenged by the Management before the Hon'ble High Court of Orissa in O.I.C. No. 1338 of 1988 and their Lordships remitted back the matter to the Tribunal with a direction that the aforesaid question as to the nature of work in which the workmen had been allegedly engaged should be decided as a preliminary issue. Both parties were heard and by order dated 30-1-90 passed in this proceeding it was held that the construction of the cross country link conveyor belt which was executed by the Management of the Central Coalfields Ltd. and which continued for a period of more than one year and ten months was not of intermittent, temporary and casual nature requiring a decision of the appropriate Government. In coming to the aforesaid conclusion the Management's own case and the evidence adduced on its behalf were taken into consideration. In the aforesaid order besides consideration of the evidence adduced by both parties, the appropriate provisions of the Contract (Labour Regulation & Abolition) Act were also taken into consideration. It was held in the said order that absolutely no case was made out by the Management for referring the matter to the Central Government for a decision on the question as to whether the work performed by the second party-workmen was of intermittent and casual nature. Accordingly, issue No. 1 on the question of maintainability of the reference was decided against the Management.

7. Now coming to the other issues, I think, it will be appropriate to take up for consideration first, the issue as to whether the second party-workmen were retrenched from their services and if they were retrenched if such retrenchment is legal and/or justified and thereafter the issue as to whether the second party-workmen were employees of the C.C.I. or M/s. R. K. Constructions.

8. It is the plea of the Management that the contractor M/s. R. K. Construction employed the second party-workmen for the construction of the project and after the construction of the project was completed the services of such workmen got automatically terminated. As such, the said termination can not be said to be retrenchment. In this connection my notice is drawn to Section 2(a)(b) of the Industrial Disputes Act, Clause (bb) of Section 2(a) of the Act, however, is not applicable to the present case because it was inserted in the Act by Act 49 of 1984 with effect from 18-8-84, whereas

the alleged retrenchment of the second party-workmen took place on 25-9-81.

In the present proceeding the question is, as to whether the second party-workmen have been retrenched from their services. If they have not been retrenched then naturally the other questions as to who retrenched becomes irrelevant.

So far as the aforesaid question is concerned, with a view to undue and as to what constitutes retrenchment I would refer to the decision of the Hon'ble Supreme Court of India in the case between the State Bank of India and N. Sundar-money, reported in 1976 (1) LLJ 478. In this decision the definition of 'retrenchment' in Section 2(oo) was considered and their Lordships held—"A break-down of S.2(oo) unmistakably expands the semantics of retrenchment, 'Termination..... for any reason whatsoever' are the key words. Whatever the reason, every termination spells retrenchment. So the sole question, has the employee's service been terminated? Verbal apparel apart, the substance is decisive. A termination takes place where a term expires either by the active step of the master or the running out of the stipulated term. To protect the weak against the strong policy of comprehensive definition has been effectuated. Termination embraces not merely the act of termination by the employer, but the fact of termination, howsoever, produced. May be, the present may be a hard case, but we can visualise abuses by employers, by suitable verbal devices, circumventing the armour of S.25F and S.2(oo). Without speculating on possibilities, we may agree that 'retrenchment' is no longer terra incognita, but area covered by an expansive definition. It means 'to and, conclude, cease.' In the present case the employment ceased, concluded, ended on the expiration of nine days—automatically may be, but cessation all the same. That to write into the order of appointment the date of termination confers no moksha from S.25F(b) is inferable from the proviso to S.25F(a)....."

9. In this connection, it has been stated by W.W.1, the General Secretary of the Union that the second party-workmen were employed by the Management of the Central Coalfields Ltd. with effect from 25-11-79 till 25-9-81 when their services were terminated without any notice or payment of wages in lieu of notice and without payment of retrenchment compensation, here seems to be no counter evidence to this. It further seems that the Management of the Central Coalfields Ltd. by advancing the plea in their written statement that the work in which the second party-workmen had been engaged was of a very casual and temporary nature, intended to indicate that on completion of such very casual and temporary nature of work, the employment of the workmen automatically came to an end which can not be said to be illegal retrenchment. However, as the law stands, even if we find that the second party-workmen, who worked in the project of construction of cross country link conveyor belt were terminated on completion of the said project, we can not escape the conclusion that it was retrenchment within the meaning of Section 2(oo) of the I.D. Act.

10. In this case as we find the requirements of Section 25-F of the I.D. Act for effecting a valid retrenchment have not been complied, in as much as, neither the workmen were served with any notice prior to retrenchment nor they were paid their salary for one month in lieu of notice. Besides, they were also not paid retrenchment compensation. Under such circumstance, their retrenchment from service is bound to be held to be illegal.

The aforesaid position, so far as the law on the subject, is concerned is fully covered by a division bench decision of the Hon'ble High Court of Orissa, in the case of Hindustan Steel Ltd. Vs. State of Orissa, reported in 1970 Lab. LC345. In the said decision, their Lordships were considering the cases of some employees who were released from their services on expiry of the contractual period of their employment. Their Lordships were confronted with the argument advanced on behalf of the employer that there was no termination of contract of employment by the employer but it came to an end by efflux of time and as such, the services of the employees having come to an end on the expiry of the tenure of contract of service, these were not cases of retrenchment so as to attract the provisions of Section 25-F of the I.D. Act. The further contention in the said case was that the Labour Court which vacated the orders of termination 1941 GI/90—8

and directed reinstatement with continuity of service and back wages was not entitled to do so because it was not entitled to revive a contract which had been lawfully determined.

Their Lordships on a consideration of the import and tenor of Section 2(oo) of the I.D. Act indicated that this section has four essential requirements. Those are:— (i) Termination of the service of a workman; (ii) By the employer; (iii) For any reason whatsoever, and (iv) Otherwise than as a punishment inflicted by way of disciplinary action. After giving such indication their Lordships held on the basis of the consensus of judicial opinion that those were cases of retrenchment and further held that on account of non-compliance of the requirements u/s. 25-F, such retrenchment was illegal.

Thus, so far as the aforesaid issue on the question of retrenchment is concerned, I would hold that the second party-workmen were illegally retrenched from their services with effect from 25-9-81.

Issue No. 2

11. Though this issue has been framed in two parts but they really involve one question i.e., whether the second party-workmen were employees of M/s. Central Coalfields Ltd., or were the employees of M/s. R. K. Constructions.

It is the case of the second party-workmen that they were recruited by the Management of the Central Coalfields Ltd. in the year 1979 for working at different work sites including at the Cross country conveyor belt at Jagannath Colliery and that with effect from 25-9-81 they were given no work and were terminated by the said Management. Their further plea is that for the purpose of avoiding legal liability, the Management of the Central Coalfields Ltd. advanced a false plea that the second party-workmen were employed by a contractor named M/s. R. K. Constructions engaged by the First Party. But such a plea is not available to them because neither they were registered as the principal employer under the Contract Labour (Regulation & Abolition) Act nor any such contractor had obtained a licence under the said Act.

The Management's plea in this respect is that for executing the construction work of the cross country link conveyor belt from Jagannath Colliery to Talcher Thermal Power Station they had issued tender notices for supply of labour M/s. R. K. Constructions. Talcher submitted a tender which was accepted and he was given the work orders. As such, the second party-workmen who were engaged by the said contractor M/s. R. K. Constructions were his employees and not the employees of the Central Coalfields Ltd.

12. Before discussing the law on the question I will deal with the evidence both oral and documentary, adduced in this case by the parties so as to find out factually as to whose employees the second party-workmen were during the relevant period.

13. M.W.1, a Senior Executive Engineer of the Central Coalfields Ltd. stated that he was associated with the construction of the conveyor belt from October, 1980 to October, 1981. The said conveyor belt was being constructed for the Talcher Thermal Power Station (T.T.P.S.). One R. K. Construction was supplying labour for construction of the said conveyor belt and the contractor R. K. Nair was either himself or through his men were making payment of wages to the labourers. He stated during his cross-examination that the Central Coalfields Ltd. had taken contract from the T.T.P.S. to construct the cross country link conveyor belt.

M.W. 2 a Foreman of the Central Coalfields Ltd. who supervised the construction work of the conveyor belt stated that the construction was being done by the Central Coalfields Ltd. for the T.T.P.S. According to him a company, named, M/s. R.K. Construction was supplying labourers to the Central Coalfields Ltd. and payment of wages was being made by the said contractor-company through its own muster roll. He proved Ext. A in this regard. During his cross-examination he admitted that wages were being paid to the labourers as per his identification and in his presence. He was constrained to admit that he was not able to say if wages had been paid to the labourers under Exts. A and A/1. MW-2 categorically admitted in his evidence during his cross-examination that the

labourers, namely, the second party-workmen had been engaged for construction of structures of the conveyor belt which was being done by the Central Coalfields and not by M/s. R.K. Constructions. According to him, M/s. R.K. Construction had been supplying labourers only for the construction work. He admitted that he himself was supervising the work of the labourers in the construction work.

MW-3, a Work Supervisor of the Central Coalfields Ltd. also stated that for execution of the project of construction of cross country transport system in the colliery, labour had been supplied by a firm, named M/s. R.K. Constructions. He admitted that he was supervising the work of the labourers in execution of the aforesaid project and was seeing as to if they were doing the work as per specification. He also admitted that construction of the cross country transport system was being done by the Central Coalfields Ltd. He also admitted that he was supervising the work and was ensuring that person engaged as labourers by M/s. R.K. Construction were paid wages.

MW-4, the Dy. Chief Mining Engineer of the Central Coalfields Ltd. stated that the Central Coalfields Ltd. had been entrusted to set-up the conveyor belt for the T.T.P.S. and for execution of this job the Central Coalfields Ltd. received Rupees one crore. The Central Coalfields Ltd. executed the work which was being jointly supervised by the Central Coalfields Ltd. and the T.T.P.S. Materials and equipments for execution of the work were supplied by the Central Coalfields Ltd. According to this witness, skilled, semi-skilled and unskilled workmen were engaged for construction of this conveyor belt by M/s. R.K. Constructions, which was an agency hired by the Central Coalfields Ltd. In this connection, he proved Ext. C, the agreement entered into between the Central Coalfields Ltd. and M/s. R.K. Constructions. He also proved the muster rolls (wage sheets) Ext. D which the said M/s. R.K. Constructions submitted to the Accounts Section of the Central Coalfields Ltd. on the basis of which payments were made to him. He proved some other documents to show that M/s. R.K. Constructions requested for refund of the security deposit it had made with the Central Coalfields Ltd. and after receipt of clearance from the General Secretary of the Talchar Mazdoor Sabha the security deposit was refunded. During his cross examination he stated that the Contract Labour (Regulation and Abolition) Act, 1970 has application to the Central Coalfields Ltd. but he could not say if the Central Coalfields Ltd. had been registered under the said Act for engagement of service contractors or for that matter, M/s. R.K. Constructions, for execution of the work in question. He also could not say if M/s. R.K. Construction had obtained the required licence under the said Act to function as a service contractor under the Central Coalfields Ltd. He could not say if any returns were submitted by the Central Coalfields Ltd. under the rules framed under the aforesaid Contract Labour (Regulation and Abolition) Act. During his cross-examination, MW-4 was confronted with Ext. 1, the minutes recorded in the conciliation proceeding which was attended by him on behalf of the Central Coalfields Ltd. He admitted to have signed the said minutes. He also admitted that the statement purported to have made in the said conciliation meeting recorded in Ext. 1 to the effect "that it is also stated by the representative of the Management that the persons who worked for the cross country conveyor belt from November 1979 to September 1981 have been engaged directly by the Central Coalfields Ltd. and few others also working through some other contractors" was correct. MW-4 explained that he made such statement during the conciliation proceeding only to emphasis that the Central Coalfields did not have any malafide intention to deprive the workmen represented by the union. There opportunities for direct recruitment in the Central Coalfields Ltd.

On behalf of the workmen, the General Secretary of the Union representing them was examined who stated that the second party-workmen worked in Jagannath Colliery of the Central Coalfields Ltd. from 25-11-79 to 25-9-81 and that they were illegally retrenched with effect from 25-9-81 without any reasons and without being served with any notice and without being paid retrenchment compensation.

WW-2, one of the second party-workmen stated in his evidence that he worked along with 97 others in the construction work of the cross country link conveyor belt under

the Central Coalfields Ltd. from 25-11-79 to 25-9-81 under the supervision of the Officers of the company. He also stated that their attendance were being taken by the employees of the Central Coalfields Ltd.

14. The evidence of the Management's witnesses, particularly of MW-4, the Dy. Chief Mining Engineer of the Central Coalfields Ltd. clearly proves that the second party-workmen were engaged in the construction work executed by the Central Coalfields Ltd. through its Officers and workers and that M/s. R.K. Constructions simply supplied the labour as per the agreement Ext. C.

Ext. C, the Article of Agreement entered into between the Central Coalfields Ltd. through its representative and M/s. R.K. Constructions who is referred to as the contractor is an agreement for supply of labour and not for execution of any work. This becomes clear from the following narration made in the agreement itself :—

"Whereas the company invited tenders for the work of 'supply of labour for the construction of cross country link conveyor from Jagannath Colliery CHP to T.T.P.S. transformer point' " Though the agreement refers to schedule-C wherein the work required to be done by the contractor was mentioned, no such Schedule-C is annexed to the agreement Ext. C which has been filed and proved in this proceeding.

Be that as it may, the evidence adduced in this proceeding convincingly establishes that the second party-workmen were the employees of the Central Coalfields Ltd. though they might have been supplied by M/s. R.K. Constructions, the labour contractor and they worked for construction of the cross country link conveyor belt directly under the Central Coalfields Ltd.

15. In course of this proceeding an attempt was made to show that M/s. R. K. Constructions was a contractor engaged by the Central Coalfields Ltd. for construction of the aforesaid project but it was given up after it was disclosed in course of the hearing that neither the Central Coalfields Ltd. had been registered as a principal employer nor M/s. R. K. Constructions had been granted a licence as a contractor. An attempt was also made on behalf of the Management to show that the work in which the second party-workmen were engaged was of intermittent and casual nature and as such, the Contract Labour (Regulation and Abolition) Act was not applicable to the case but it has already been decided under Issue No. 1 that the work in which the second party-workmen were engaged was not of a casual and intermittent in nature as envisaged in the Contract Labour (Regulation and Abolition) Act. The Management seems to be fully confused on the issue and not sure as to whether the aforesaid act was or was not applicable to the work in question.

16. The question is, what was the status of M/s. R. K. Constructions so far as the Central Coalfields Ltd. and the second party-workmen are concerned and what was the status of the workmen in relation to the Central Coalfields Ltd. and M/s. R. K. Constructions.

On the first question as to the status of M/s. R. K. Constructions, the Central Coalfields Ltd.-Management does not appear to be in a certain position. Sometimes they say that he was a contractor under the Contract Labour (Regulation and Abolition) Act and sometimes they say that he was not. The fact, however, remains as revealed by the evidence adduced in this proceeding that M/s. R. K. Constructions merely supplied the labour force to work in the construction of the cross country link conveyor belt which was executed by the Central Coalfields Ltd. as a contractor or as an agent of M/s. Talcher Thermal Power Station.

17. The second party-workmen were employed to construct the cross country link conveyor belt executed by the Central Coalfields Ltd. They might have been supplied as labourers to the Central Coalfields Ltd. but merely because M/s. R. K. Constructions supplied them as labourers to do the work and might be, they were paid wages through M/s. R. K. Constructions, do they cease to be the employees of Central

Coalfields Ltd.? I may reiterate here that Ext. C, the agreement between the Central Coalfields Ltd.-Management and M/s. R. K. Constructions is a labour supply agreement and is not an agreement for execution of the construction work of the conveyor belt. As such, I would hold that the second party-workmen were the employees of the Central Coalfields Ltd. and were not the employees of M/s. R. K. Constructions as alleged by the Central Coalfields Ltd.

18. As revealed by the evidence on record the Contract Labour (Regulation and Abolition) Act, 1970 has no application to the present case before us. Admittedly, neither the Central Coalfields Ltd.-Management was registered as a principal employer nor M/s. R. K. Constructions was granted a licence as a contractor under the provisions of the said Act. Even assuming for the sake of argument that the aforesaid Act can be looked into for the purpose of determining the status of M/s. R. K. Constructions and the second party-workmen, I would hold on the evidence adduced in this case by the Management's witnesses that the establishment of the Central Coalfields Ltd.-Management which was entrusted with the work of construction of the cross country link conveyor belt which it executed, employed the second party-workmen for the said work though the said workmen might have been supplied by M/s. R. K. Constructions and as such, there was employer and employee relationship between the Management of the Central Coalfields Ltd. and the second party-workmen on the date their services were done away with after completion of the Project.

19. At the time of argument my attention was drawn to the decision in the case of Management of Hindustan Steel Ltd., Appellant Vs. their workmen and others, Respondents, reported in A.I.R. 1973 S.C. 878 in support of the Management's plea that the appointments of the second party-workmen were purely temporary and were terminable on the completion of the project and as such the provisions of Section 25-FFF is attracted and not the provisions of Section 25-F of the I.D. Act.

The facts of the case in the aforesaid decision of the Hon'ble Supreme Court of India appear to be different than the facts of the present case. The facts of the said case are that the concerned workman was recruited to the work charged establishment of the Ranchi Housing Project undertaken in 1960. The condition of appointment was that the post to which he was appointed was purely temporary subject to termination with or without notice. The workman joined duty in the said work-charged establishment after accepting the condition. Subsequently, he applied and was given the post of an Overseer in the very same establishment i.e. Ranchi Housing Project and this appointment was also temporary terminable at any time without assigning any reason and without giving any notice. The construction and the connected residuary work relating to the said project were over by the end of the year 1966 and it was decided to wind up the project and retrench the workmen engaged in the said Project after giving notice and paying compensation to them. The financial concurrence for the continuance of the Ranchi Housing Project (Residuary work) also expired for which it was not possible to continue the services of the workmen engaged in the said project. Considering the facts and circumstances available in the said case before them, their Lordships of the Supreme Court of India, held—"The word undertaking as used in S. 25FFF seems to us to have been used in its ordinary sense connoting thereby any work, enterprise, project or business undertaking. It is not intended to cover the entire industry or business of the employer as was suggested on behalf of the respondents. Even closure or stoppage of a part of the business or activities of the employer would seem in law to be covered by this sub-section. The question has indeed to be decided on the facts of each case. In the present case the Ranchi Housing Project was clearly a distinct venture undertaken by the appellant and it had a distinct beginning and an end. Separate Office was apparently set-up for this venture and on the completion of the project or enterprise that undertaking was closed down. The Tribunal has actually so found. Its conclusion has not been shown to be wrong and we have no hesitation in agreeing with its view. There is no cogent ground for reopening the Tribunal's conclusion under Article 136 of the Constitution. It is also noteworthy that Shri Naidu had been recruited to the work-charged establishment of the Ranchi Housing Project. In

workmen of the Indian Leaf Tobacco Development Co. Ltd. V. Management, (1969) 2 SCR 282—(AIR 1970 SC 860) closure of eight out of 21 depots of the company though not amounting to closure of its entire business was considered to amount to a closure within the contemplation of Section 25-FFF. In Party and Co. Ltd. V. P. C. Lal, (1969) 2 SCR 976—(AIR 1970 SC 1334) it was observed that it was within managerial discretion of an employer to organise and arrange its business in the manner he considers best and that if a bona fide scheme for such re-organisation results in surplusage of employees, no employer is expected to carry on the burden of such economic dead weight and retrenchment has to be accepted as inevitable, however, unfortunate. The reasoning and ratio of these decisions support the appellant's argument."

It thus seems that on the available facts and circumstances in the case before their Lordships they held that Ranchi Housing Project was a distinct venture undertaken by the Management of Hindustan Steel Ltd. and on completion of the project it was wound up and thereby, attracted application of Section 25FFF of the I. D. Act.

20. In the case before us the facts are, however, different. In the written statement/rejoinder filed by the Management they came forward with the specific plea that for construction of cross country link conveyor belt from Jagannath Colliery of the Central Coalfields Ltd., Coal Handling Plant to T.T.P.S. Transformer Point on behalf of the T.T.P.S. tender notices were issued for supply of labour and M/s. R. K. Constructions whose tender was accepted supplied the labour for the said work. It was also stated that the construction of the cross country link conveyor work was made for the T.T.P.S. by the Central Coalfields Ltd. and it was a very casual and temporary nature of work. In paragraph 16 of the written statement/rejoinder filed by the Management it was stated that the allegation of retrenchment is a myth. On completion of the work of construction, the establishment was closed and there was no question of any retrenchment. There is neither any pleading nor any evidence that there was a separate establishment set-up by the First Party-Management for executing the project of construction of cross country link conveyor belt. There is neither any evidence nor pleading to the effect that there was a separate office maintained for this project. Absolutely there is no evidence or materials available in the record to hold that the construction of cross country link conveyor belt was altogether a distinct and different project on completion of which the undertaking was closed down and the work force was disbanded and as such, the provisions of Sec. 25-FFF were attracted to the case. Besides, it is the agreed position that no notice either of closure or of retrenchment was served on the second party-workmen. In the circumstance, I do not find it possible to accept the position that Section 25-FFF would be applicable in the present case and not Section 25-F of the Industrial Disputes Act.

As per the discussions made above, without any hesitation I would hold that the second party-workmen were retrenched illegally with effect from 25-9-81 by the First Party-Management.

21. Now coming to the question of relief, though in the written statement/rejoinder filed by the First Party Management no plea was taken that the workmen were not entitled to back wages having been gainfully employed since after alleged termination of their employment, it seems, while the matter was pending before the Hon'ble High Court of Orissa in O.J.C. No. 902 of 1990, they raised a plea for adducing evidence on the said question on gainful employment of the workmen and the Hon'ble High Court while sending back the case on remand to this Tribunal directed that the Management be given opportunity to lead evidence on the question as to whether the workmen were in gainful employment since termination. The Management has accordingly adduced evidence on the said question.

The Additional Chief Mining Engineer, S.E.C.L. examined as MW-5 stated that out of the 98 persons involved in the reference 7 persons have already been given employment by the first party in 1989 and they are continuing in employment since then. He produced and proved Exts. J to J/5 which are office orders giving appointment to six out of the

seven persons. Being cross examined he stated that the aforesaid 7 persons who were given employment are persons whose lands have been acquired for the project of the First Party and under the existing scheme they have been given employment. He, however, could not say as to from which date each of the said workman joined their duties. He admitted that these persons were not working under him. He could not say if the said 7 persons were found medically fit and were allowed to join in pursuance of the appointment letters. He admitted that he did not know any of these seven persons personally. He could not say if any of the 7 persons were given the appointment letters.

MW-6, the Dy. General Manager-cum-Area Planning Officer of the S.E.C.L. stated that 7 persons out of the 98 workers have been given employment under the S.E.C.L. since 1989 and they are—(1) Bijoy Kumar Behera, (2) Kumar Sahoo, (3) Ballav Sahoo, (4) Ramesh Biswal, (5) Bhaskar Charan Pradhan, (6) Antaryami Sahoo and (7) Suresh Chandra Sahoo. He further stated that out of the seven persons he had talked to 5, personally and on being asked by them, those 5 told him that during the interim period since September, 1981 till they are employed by S.E.C.L. in 1989, they worked under different contractors, both of the S.E.C.L. and the Fertilizer Corporation of India. According to him, he asked them to give evidence in this proceeding but they declined saying that they were apprehensive about their personal safety. Being cross-examined he could not say as to which 5 persons out of the 7 persons met him. He stated that as far as he remembered 5 persons were working in S.E.C.L. since September or October, 1989 and might be, some of them were working since January, 1990. Though he stated that the workmen who were given employment must have submitted joining reports and must have been marked attendance, no such documents were filed in this proceeding. The identity cards, which according to this witness, must have been given to the 7 workmen have also not been produced in this proceeding nor the Form-B register which contained the names of the 7 persons. This witness admitted that he has not verified any record to know as to if the seven persons named by him have joined the S.E.C.L. and are working in the said organisation. Similarly, he admitted that he does not have any personal knowledge about the employment of five out of the aforesaid seven workers under the F.C.I.

MW-7, the Sr. Personnel Officer of Jagannath Colliery of the South Eastern Coalfields Ltd. stated that after completion of the construction of the cross country transport link conveyor, some of the workmen who had been engaged in the said project, worked with some other contractors in Jagannath Colliery. According to him, 29 out of the 98 second party-workmen served under different contractors in respect of whom he produced the wage registers of different contractors' establishments marked as Exts. K to DD. None of the contractors, however, were examined in this proceeding by the Management to state that any of the workman who had worked in construction of the cross country conveyor belt, worked with them after completion of the said work. Being cross-examined he stated that he was not personally present when the 29 workers and others received wages from the contractors under whom they allegedly worked in different spells. He could not say if the thumb marks put on the revenue stamps affixed to the wage registers produced by him were Left thumb impressions or Right thumb impressions of the workmen. None of the thumb marks in the wage registers has been attested. He stated that out of the 29 workmen about whom he deposed in this proceeding, surnames of 11 only have been mentioned in the wage registers which he produced.

This witness produced a list of 29 persons who according to the Management, worked under different contractors after completion of the construction work of the cross country link conveyor belt. In this list the name of the workers, the names of the contractor and the period of engagement of each of the workers have been mentioned. The list has been marked as Ext. EE in this proceeding. Question about Nimaji Charan Pradhan at Sl. No. 1 of the order of reference, he stated that he did not find his name in Ext. L, the wage register of the contractor P. N. Sahoo. Similarly, he did not find the name of the second party-workman at Sl. No. 86 of the order of reference Ram Chandra Naik either in Ext. I or L/1 though in the

wage registers Ext. I and L/1 the name of one Rama without any surname has been mentioned. He admitted that in the order of reference surname of most of the second party-workmen have been mentioned while in the wage registers produced by him and the list Ext. EE submitted by him in this proceeding, in most of the cases surnames of workers have not been mentioned. He stated that the 29 workers whose list he produced in this proceeding Ext. EE probably may be the workers named in the order of reference. According to him, the Management of the S.E.C.L. does not have any register about the contractors' labourers. He also admitted that the wage registers which he produced in this proceeding to show that 29 out of the 98 second party-workmen had been gainfully employed elsewhere after their services were terminated did not bear the seal of the S.E.C.L. He was questioned about some other workers whose names have been mentioned in the list Ext. EE and from the answers he gave to those questions, it appears that he simply indulged in guess work. Referring to Ext. M he stated that from 1-12-86 to 6-12-86 one Nilmani Naik worked for the Contractor Kiran Chandra Deb but in his list Ext. EE, he mentioned that Nilmani Sahoo worked under the said Contractor for the above period. He admitted this to be a mistake. Similarly, in Ext. Q Ramesh Sahoo has been mentioned as a 'Mason' who worked from February '85 to April '85. In Ext. V one Ramesh is mentioned to have worked as a 'Helper' from 10-4-89 to 15-4-89. This witness admitted that Ramesh Sahoo in Ext. Q may or may not be Ramesh in Ext. V.

Thus, these registers and the list produced in this proceeding by the Management on the question of engagement of some of the workers under the contractors of S.E.C.L. after their employment came to an end in the cross country link conveyor belt construction work have absolutely no evidentiary value for arriving at any conclusion on the question at issue.

In respect of the second party-workmen who allegedly worked under the contractors of the F.C.I. as per the plea of the Management, this witness MW-7 made vague and inconclusive statements. He stated that he does not know the names of all the persons out of the list 98 second party-workmen, who worked under the contractors of the F.C.I. He could name only two but stated that he does not know the names of the contractors under whom they worked. He also does not know the two persons personally who were named by him. He stated that some of the workers working in Jagannath Colliery whose names he does not know told him that some of the second party-workmen were working in the F.C.I. under some contractors. He made similar statements in respect of the second party-workmen who as stated by him worked as labourers in agricultural lands. His evidence with regard to them is admittedly hearsay and on the basis of such evidence no conclusion can be reached to the effect that they had been employed during the period elsewhere.

These are all the evidence on the question of the alleged gainful employment of some of the second party-workmen which as discussed above are absolutely vague, inconclusive and as such, unacceptable.

In the circumstances, I would hold that the First Party-Management has not proved that any of the second party-workman had been gainfully employed since after termination of their employment after completion of the construction work of the cross country link conveyor belt.

22. Thus as per the discussions made above, I would hold that the action of the Management of M/s. Central Coalfields Ltd., Talchar in retrenching S/Shri N. C. Pradhan and 97 others, whose names are mentioned in the annexures to the order of reference with effect from 25-9-81 is illegal and unjustified and they are entitled to reinstatement with full back wages.

The reference is answered accordingly.

S. K. MISRA, Presiding Officer
[No. L-19011(25)/84-D IV (B)]

का.आ. 2092-ग्रोद्योगिक विवाद अधिनियम, 1947 (1947 का. 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जमशुर्मा ए. एण्ड बी लिट कोल्डरी आफ मै. ईस्टर्न कोल फील्ड्स लि. के प्रबन्धन के संबंध नियोजकों और उनके कार्यकर्ताओं के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कवकता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 6-7-90 को प्राप्त हुआ था।

S.O. 2092.--In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of Jamuria A&B Pit Colliery of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 6-7-1990.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 8 of 1988

PARTIES:

Employers in relation to the management of Jamuria A & B Pit Colliery of M/s. Eastern Coalfields Limited

AND

Their workmen.

PRESENT:

Mr. Justice Sukumar Chakravarty, Presiding Officer.

APPEARANCES:

On behalf of employers—Mr. P. Banerjee, Advocate.
On behalf of workmen—None.

STATE: West Bengal.

INDUSTRY: Coal.

AWARD

By Order No. 1-19012/56/86-D.IV(B) dated 23rd January, 1987, the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication:

"Whether the management of Jamuria A&B Pit Colliery of M/s. E.C. Ltd., P.O. Nandi, Dist. Burdwan was justified in denying pay protection to S. Sri Nagina Paswan, Tyndal, Basant Paswan Surface Trammer and Rajendra Paswan, Lamp Mazdoor from the date of their regularisation as Security Guard? If not, to what relief these workmen are entitled?"

2. When the case is called out today for hearing, Mr. P. Banerjee, Advocate appears for the management. Nobody appears for the workmen. A petition was received from the union on 15-6-1990 stating therein that the union is not interested to proceed with the present reference and has prayed for a 'No Dispute Award' Mr. Banerjee appearing for the management has no objection in this regard.

3. On due consideration of the petition of the union as well as the submission of Mr. Banerjee appearing for the management, I find that this Tribunal has no other alternative but to pass a "No Dispute Award" and accordingly a "No Dispute Award" is passed.

This is my Award.

Dated, Calcutta

The 28th June, 1990

SUKUMAR CHAKRAVARTY, Presiding Officer
[No. 1-19012/56/86-D.IV(B)]

नई दिल्ली, 10 जुलाई, 1990

का. आ. 2093—ग्रोद्योगिक विवाद अधिनियम, 1947 (1947 का. 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बाहुला कोल्डरी आफ मै. ईस्टर्न कोल फील्ड्स लि. के प्रबन्धन के संबंध नियोजकों और उनके कार्यकर्ताओं के

बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार का 9 जुलाई 1990 को प्राप्त हुआ था।

New Delhi, the 10th July, 1990

S.O. 2093.--In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bahula Colliery of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 9-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 18/89

PRESENT:

Shri N.K. Saha, Presiding Officer.

PARTIES:

The Employer, in relation to the Management of Bahula Colliery of M/s. Eastern Coalfields Ltd.

AND

Their workman.

APPEARANCES:

For the Employers.—Sri P. K. Das, Advocate.

For the Workman.—Sri S. Yer Md. Secretary, Khan Mazdoor Sangh.

INDUSTRY: Coal

STATE: West Bengal

Dated, the 25th June, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(160)'88-D.IVB dated 19-3-1989.

SCHEDULE

"Whether the action of the Management of Bahula Colliery of M/s. E.C. Ltd., P.O. Bahula, Dist. Burdwan in superannuating Sri Bechu Rajbhar Underground Loader w.e.f. 3-7-1986 is justified? If not, to what relief the workman concerned is entitled?"

2. Bechu Rajbhar the concerned workman was an Underground Loader of Bahula Colliery under Real Jambad Unit which was taken over by the Eastern Coalfields Ltd., in 1973. On 31-5-1986 Bechu Rajbhar was served with a notice which reads as follows:

Office of the Agent,
Bahula Colliery
Dated : 31-5-1986

To,

Sri Bechu Rajbhar,
Loader,
Real Jambad Unit,
Bahula Colliery.

Dear Sir,

As evidenced by your service record you are going to attain the age of 60 (sixty) years on 1-7-86. It has been decided by the Management that your services has terminated on your superannuation.

I, therefore, give you notice that your service will stand terminated on the expiry on 30 days from dated i.e. with effect from 2-7-1986.

You will be paid gratuity as per the provisions of the payment of Gratuity Act, 1972. Please submit your application in the payment of Gratuity Central Rules, 1972 immediately.

Your faithfully,
Sd/- Agent
Bahula Colliery."

In due course according to terms of the said notice the service of Bechu Rajbhar was terminated w.e.f. 3-7-1986.

3. After such termination Bechu Rajbhar raised a dispute before the A.L.C. (C) Ranigunj. But the attempts of conciliation failed. The A.L.C. reported the matter to the Ministry of Labour, Govt. of India and in due course the Ministry of Labour has referred the dispute to this Tribunal for adjudication.

4. In this Reference Bechu Rajbhar has filed written statement contending inter-alia that he had been working as underground loader in Bahula Colliery under Real Jambad Unit of late taken over by Eastern Coalfields Ltd. He is an illiterate man and is a member of schedule caste community. He has fallen victim of anti-labour policy and he has been illegally retrenched from service w.e.f. 3-7-1986 on the plea of superannuation. He was served with a notice with false averment that he had attained the age of 60 years on 1-7-1986. The 'B' Form register which has been produced by the management is a manufactured document and no reliance can be placed upon the same. It is false that he was aged 47 years in 1973 as recorded in the Form B register. He has filed medical certificate of age certifying him that he must be between 50 to 55 years. He has alleged that he has till not attained the age of 60 years and he must be reinstated in service with full back wages.

5. The management has filed their written statement cum-rejoinder. The management has denied all the material averments of the written statement by the concerned workman. The management has contended inter-alia that Bechu Rajbhar was aged 47 years in 1973 and his age was correctly recorded in the B Form register in which he also put his L.T.I. That B Form register is a statutory document. The service of Bechu Rajbhar has been rightly terminated w.e.f. 3-7-86. It is false that Bechu Rajbhar has not yet attained the age of 60 years.

6. In a case like the present one the entire onus is upon the concerned workman. Firstly he is to establish that the B Form register which has been produced in this case in a manufactured document and no reliance can be placed on the same. Secondly if he succeeds in proving the first point, then he must prove his own age to get any relief.

7. It is settled position of law that B Form register maintained by the colliery is a statutory document. So it is to be presumed that the entries of the B Form register were properly made unless it is shown otherwise. The presumption is rebuttable. So let us see how far Bechu Rajbhar has been able to rebut the said presumption. In this connection Sri Yer Md. the learned representative of the union who has conducted this case has taken me through the letter Ext. W-2 dated 7-9-1988 written by the A.L.C. addressing the Secretary, Govt. of India, Ministry of Labour. The relevant portion of that letter reads as follows :

"Both the parties are present the management produced Form 'B' register where the name of Sri Bechhu Rajbhar has been entered at Sl. No. 459. The date of birth of Shri Bechhu Rajbhar has been shown as 48 years and the date of appointment has been shown as 29-12-1958. There are 9 names out of which only 6 thumb impressions have been obtained and the representative of the workman states that Sri Rajbhar has not given his thumb impression. There are no page numbers in the Form 'B' (register) and the owners name has also not been written. There is no seal of the Colliery to show the authenticity of the register. The register has also not been signed by the Manager of the Colliery. The authorised representative of the worker produced the document dated 7-6-86 wherein the age of the workman is recorded as 47 years on that day. The workman's representative challenged the genuineness of the Form 'B' register and the thumb impression as appeared in Form 'B' register of Bechu Rajbhar. The workman's representative further requested for the age of the concerned employee stating that his superannuation is wholly unjustified and illegal and amounts to illegal to retrenchment"

He has also taken me through the B Form register Ext.M-1 produced by the management in this Court. The name of one Bechu appears against Sl.No.458 of the B Form register filed in this Court as Ext. M-1. It will be convenient to put the particulars written in the letter by the A.L.C. about the entries of B Form register and the relevant of the present register for the Purpose of comparison.

Particulars of B Form Register produced before the Asstt. Labour Commissioner as gathered from Ext. W-2.

- (1) Sl. No. 459
- (2) Bechu Rajbhar.
- (3) Age 48.
- (4) 29-12-58 date of appointment.
- (5) Name of Nine Persons in the page.

- (6) Six thumb impressions in the page.
- (7) No pagemark.
- (8) Register is not signed by Manager.
- (9) No seal of Colliery.

Particulars of B Form Register produced before this Tribunal Ext. M-1

Sl. No. 458.

Bechu.

Age 47.

29-12-58 date of appointment.

Names of Nine Persons in the page.

Eight thumb impressions in the page.

There is page marking (37 and 38).

Signed by Manager Sri K.R. Dutta on 1-2-73 (page 60) (Signature proved by MW-1).

(No seal of Colliery).

From the above Chart it is evident that on important material points the registers produced before the A.L.C. and produced before this Court do not tally. The learned lawyer of the management has urged before me that these are all typographical mistakes. But I am unable to look eye to eye with him considering the number and nature of differences as noted in the Chart. In addition to that, the learned representative of the union has drawn the attention of this Tribunal to the first page of the Register Ext. M-1 where the figure 1976 or 1972 has been interpolated and it has been made 1973 and thereafter a fresh endorsement has been made which reads "Prep 1973". I find that in pages 2, 4 & 6 the figure 1972 has been penned through in such a manner so that one may not read the same easily.

Considering the differences as pointed out in the above Chart and the interpolation in the figure as stated, I find that no reliance can be placed upon the B Form Register Ext. M-1 which has been produced before this Court and I also find that the concerned workman has been able to discharge the onus with respect to the first point.

8. So we are to move with the idea that there is no proper record of age of Bechu Rajbhar in the employer's Office. But that does not itself give the right to the workman to continue in the service. Bechu Rajbhar is to prove his own age. In his written statement Bechu Rajbhar has not stated anything about his date of year of birth. Bechu Rajbhar has examined himself in this case as WW-1 to prove his own case. He has not examined any other witness and there is no iota of documentary evidence to support his claim. He has claimed that he was born in the year of partition of India. His statement on this point reads as follows :—

"I heard from my mother and father that I was born in the year of partition of India."

He has claimed that he was appointed in service on 28-5-1961. But there is no evidence, excepting his oral statement, that he was so appointed on 23th May, 1961. He has stated in cross-examination that he was aged about 18 years at the time of entry in the service. According to the management Bechu Rajbhar was appointed on 29-12-1958. Bechu Rajbhar has admitted in cross-exam. that his elder brothers are still alive but no one came forward to support his case. He did not also call for the Provident

Fund document which was started by his previous employer before nationalisation to prove his age. So I find that there is no tangible evidence in this case to show that Bechu Rajbhar was born in 1947.

Be that as it may, I shall presently show that his claim is bound to be false. He has claimed that he was born in 1947 and he was aged about 18 years when he entered in service. According to him he entered in service in May, 1961. From calculation it appears that Bechu Rajbhar was aged about 14 years if it is believed that he was born in 1947 and entered in service in 1961. On the other hand we find that it is the case of the management that the concerned workman has entered in service in 1958 and if that be true in that case it is to be held that Bechu Rajbhar entered his service when he was aged about 11 years if it is believed that he was born in 1947. So considering the materials on record and facts and circumstances we find that Bechu Rajbhar has signally failed to prove that he was born in 1947 and ultimately he has failed to prove his own age.

9. So in a case like the present one I must say that the action of the management in superannuating Bechu Rajbhar w.e.f. 3-7-86 is not justified. It was the duty of the employer to get the age of the concerned workman determined by a Medical Board before terminating his service, which was not done.

10. Therefore, as a course of relief Bechu Rajbhar the concerned workman shall be examined by the Appex Medical Board for determination of his age.

- (a) If the Medical Board finds that Bechu Rajbhar had attained the age of 60 years on or before 2-7-86 in that event he is not entitled to get any relief.
- (b) If the Medical Board finds that Bechu Rajbhar has attained the age of 60 years on any date after 3-7-86, then Bechu Rajbhar is entitled to get all the wages w.e.f. 3rd July 1986 till his attaining the age of 60 years.
- (c) If the Medical Board finds that Bechu Rajbhar has not yet attained the age of 60 years and he is still fit to work, in that case Bechu Rajbhar shall be reinstated in service with immediate effect and he shall be paid all his back wages with effect from 3-7-1986.

11. This is my award.

N. K. SAHA, Presiding Officer
[No. L-22012(160)/88-D.IV(B)]

का.ग्रा. 2094.—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में केन्द्रीय सरकार तिरात यूनिट तिरात कुआरडी काल्यारी-सतग्राम एरिया आफ मै. ई.सी. एन. के प्रबंधन के संबंध नि-योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट श्रीयोगिक विवाद में केन्द्रीय सरकार श्रीयोगिक अधिकार, अखिलमंडल के पंचाट को प्रकाशित करती है, जो केन्द्रीय

S.O. 2094.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Tirat Unit, Tirat Kuardi Colliery, Satgram area of M/s. E. C. Ltd. and their workmen, which was received by the Central Government on 9-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 2/88

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the management of Tirat Unit, Tirat Kuardi Colliery, Satgram Area of M/s. E. C. Ltd.,

AND

Their Workmen.

LIST OF THE WORKMEN

S. No.	Name of the workmen	Designation	Working as	Date from which working
1.	Helmoy Roy	Timber Mazdoor	Pit Clerk	10-8-80
2.	Muneswar Mondal	Surface Trammer	-do-	24-8-78
3.	Aloke Mukherjee	Haulage Khalasi	-do-	6-3-78
4.	Ranjit Mukerjee	-do-	-do-	3-9-79
5.	Kartike Pramanik	Exp. Carrier]	-do-	14-8-80
6.	Amalendu Banerjee	Haulage Khalasi	L.I. Clerk	11-6-79
7.	Subhas Paswan	On Setter	Pit Clerk	14-9-80
8.	Kebal Kora	CCM Driller	-do-	10-8-80
9.	Sewbalak Paswan	UG Trammer	-do-	9-7-80
10.	Sudhir Ghose	Fan Khalasi	L.I. Clerk	11-9-77
11.	Kartic Gope	Exp. Carrier	-do-	19-11-79
12.	Noor Alam Khan	Fitter Helper	-do-	7-7-79
13.	Damodar Paswan	Depot Peon	Depot Munshi	16-8-80

APPEARANCES :

For the Management.—Sri P. K. Das, Advocate.

For the Workmen.—Sri C. S. Mukherjee, Advocate.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 26th June, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. 1-24012(99)/87-D.IV(B) dated the 30th November, 1987.

SCHEDULE

"Whether the Management of Tirat Unit, Tirat Kuardi Colliery, Satgram Area of M/s. Eastern Coalfields Ltd., P.O. Kalipahari, District Burdwan was justified in denying regularisation to Sri Helamoy Roy and 13 others (Annexure-A) to the post shown against each? If not, to what relief, the workmen concerned are entitled."

2. The concerned workmen numbering in all 13 covered by the present Reference are employees of Tirat Kuardi Colliery of Satgram Area under Eastern Coalfields Ltd. They have different designations. They have been working as Clerks and Munshi in the higher category since the dates as shown in Annexure 'A' of the Schedule of Reference. They made a prayer for their regularisation in the posts of the higher category, but the authority did not concede. So a dispute was raised on their behalf by the union and the attempts of conciliation failed. Thereafter the matter was sent to the Ministry of Labour, Government of India and in due course the Ministry of Labour has referred the matter to this Tribunal for adjudication.

3. In this case the concerned workmen represented by their union has filed written statement contending inter-alia that they have been working in different posts of higher category from the dates as mentioned against their names shown in Annexure 'A' of the Schedule of Reference. It is submitted that though they are workmen of lower category they had been detailed to do the work of higher category and still they have been doing the said work. But they have not been paid the difference of wages of the then designated post and the actual post which they have been holding. The management refused to consider their prayer for regularisation in the actual post which they have been holding. They have been performing jobs of the posts which carry higher

remuneration. There is no justification to pay them lesser remuneration and there is also no justification for not regularising them in their present post. The act of the management is illegal for violation of the principles of Equal remuneration for equal work. So they pray for their regularisation in the present post and payment of difference of wages.

4. The management has filed their written statement-cum-Rejoinder contending inter alia that the present Reference is bad in law and as the referring authority has taken it for granted that the concerned workmen had been working in the posts shown in Annexure 'A' from the dates mentioned therein. It is denied that the workmen have been actually working in the respective posts from the respective dates as mentioned therein. The concerned workmen are non-Matriculants. Some of them are even illiterate and as such they cannot claim for absorption or regularisation in the clerical posts as the same will be against the provisions of Cadre Scheme No. 8 formulated by the Joint Bipartite Committee for Coal Industry (J.B.C.C.I.).

The illiterate and semi-literate persons working in the colliery have a craving for improving their lot by learning jobs which are performable by the clerical staff and they very often approach the colliery Managers for being given them the chances of learning such clerical jobs on the expectation that they may get a chance for being placed in such jobs in future vacancies. That prior to formulation of the said Scheme by the J.B.C.C.I., there are instances of availing such benefits. But the norms fixed by the J.B.C.C.I., have sealed the fate of such fortune seekers. The provisions of J.B.C.C.I., norms regarding promotion of clerical staff are binding on the employer and the workmen and have binding force as settlement. It is denied that the workmen did work in any higher category and by simply doing such jobs they have become entitled to be absorbed in such higher jobs or to receive any difference of wages as such development was on their own seeking and not followed by any administrative requirement and they were free not to work in such category.

5. The present Reference was made for adjudication with respect to the dispute raised by 13 workmen. In the written argument the learned Advocate for the workmen has submitted that the present dispute now exists with respect to only 5 workmen and so far the dispute with respect to others stands resolved. Sri C. S. Mukherjee, the learned Advocate for the workmen has orally submitted before me during his argument that at present no dispute exists with respect to 8 workmen.

The learned Lawyer for the workmen has submitted before me that now the dispute exists only with respect to the following 5 persons viz. (1) Helamoy Roy, (2) Aloke Mukherjee, (3) Kartick Pramanik, (4) Amalendu Banerjee and (5) Kehal Kora. So we are now concerned with these 5 concerned workmen.

6. Now it is admitted that those 5 workmen have been working as Clerks from the dates shown against their names. Before that date, Aloke Mukherjee was a Haulage Khalasi, Kehal Kora was a C.C.M. Driller.

Kartick Pramanik was Exp. Carrier, Helamoy Roy was Timber Mazdoor and Amalendu Banerjee was a Haulage Khalasi. All of them were workers of lower category but since the dates shown against their names in the Reference Order they have been working as Clerks in the higher category. Admittedly they have not been regularised in the present post and they were not paid the difference of wages.

7. It has been urged from the side of the management that they have been working in such posts on their own seeking and they were never given any appointment on the requirement of the management. They were never appointed against any existing vacancy. But from the Ext. W-25 I find that Amalendu Banerjee, Haulage Khalasi was authorised to work as L.I. Clerk from 11-6-79 against existing vacancy. There is nothing to show that the workmen on their own seeking began to work in the higher category. So considering the facts and circumstances of the present case it cannot be believed that the management allowed them to work in higher category on their own seeking.

8. It appears that the concerned workmen have been working for about 10 years or more in higher category, but they were not given the wages of the post. It appears that the authority deprived the workmen by not paying their due wages. I find that the authority has violated the principles of Equal Remuneration for equal work. So considering all the facts and circumstances of the present case, I find that the concerned workmen are entitled to get the difference of wages between the lower and the higher post so long they will work in the present post since the date of their starting work in the present post.

9. It has been claimed from the side of the workmen that they must be regularised in the present post as they have been working in the post for such a long period.

10. From the facts and circumstances and the materials on record, it appears that the regularisation is not promotion. Sri Lakhi Narayan Mukherjee, MW-1 has stated that the concerned workmen not yet regularised were found unsuitable by the Screening Committee by Area D.P.C. (page 6 of his deposition). He has stated that cases of promotion and regularisation are dealt by the D.P.C. (Page 9 of his deposition). From his statement we find that the case of Ram Prasad Rauth has been regularised (page 3 of his deposition). In the written statement and also in the written argument the management has stated that the question of regularisation must be according to the Cadre Scheme No. 8 formulated by the J.B.C.C.I. The existence of such a Scheme formulated by J.B.C.I., has not been denied. From para 1 of Ext. W-2 which was marked on admission, it appears that the question of regularisation was taken up by the management and the union representatives. The relevant paragraph of Ext. W-2 reads as follows :

"The Union representative pointed out that T.R. workers working in higher category for considerable long time have not been regularised at Sitarampur, Sodepur and Satgram Areas

though the said workers have put on 190 days attendance in underground and 240 days in surface in the higher category. The union further contended that the Area officials have informed the union that in such cases DPC will be held. The union however, contended that this matter related to regularisation of the employees and not promotional matter through DPC.

Director (P) however, advised the GM's of Sitarampur, Sodepur and Satgram Arcas specifically through a letter dictated during the meeting advised them to treat such matters as regularisation of employees and not DPC".

Ext. W-1 shows that there was direction for regularising such workers. Ext. W-2 is dated 8-4-88. The Director (P) has referred the discussion held on 8-4-88 in his letter Ext. W-1.

It has been contended before me that the present workmen have not the requisite qualification. So their cases could not be considered by the Screening Committee. Ext. W-16 shows that Kchal Kora was called by the Screening Committee to appear before the Committee on 27-4-1984 with certificates of his educational qualifications and other papers. Similarly Amalendu Banerjee was directed by the Screening Committee to appear on the same date with his certificates of educational qualification and other papers (Ext. W-29). In both Exts. W-16 & W-29 there is a recital which reads as follows :

"Be it noted that if you fail to appear on the said date time and place this time it will be presumed that you are not interested to work as a Clerk and will be sent back to your substantive post."

The workmen are silent on this point. The workmen claim that they must be regularised in the present post as they have been working in the said posts for considerable period irrespective of their educational qualifications. But considering the existence of the Scheme No. 8 formulated by JBCCI, I am unable to look eye to eye with the contention of the learned Lawyer for the workmen that they should be regularised irrespective of their qualifications.

12. Out of 13 persons mentioned in the Schedule, I find that there is no dispute with respect to the following 8 persons viz., (1) Maneswar Mondal, (2) Ranjit Mukherjee, (3) Subhas Paswas (4) Sewbalak Paswan (5) Sudhir Ghose (6) oor Alam Khan (7) Kartic Gope and (8) Damodar Paswan.

13. In the result, I find that the action of the Management of Tirat Unit, Tirat Kuradi Colliery of Eastern Coalfields Ltd., is not justified in denying the regularisation to the following 5 persons viz., (1) Flamov Roy, Timber Mazdoor, (2) Aloke Mukherjee, Haulage Khalasi (3) Kartick Pramunick, Exp. Carrier (4) Amalendu Banerjee, Haulage Khalasi and (5) Kchal Kora, C.C.M. Driller to the post shown against each in the order of Reference. They must be regularised in the present post subject to the conditions and provisions as laid down in Scheme No. 8

formulated by the Joint Bipartite Committee for Coal Industry. They must be paid the difference of wages of their old post and the present post since the date of starting their work till they will work in the present post.

This is my award.

N. K. SAHA, Presiding Officer
[No. L-24012(99)/87-D.IV(B)]

नई दिल्ली, 11 जुलाई, 1990

का. आ. 2095.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी लि. कोल केमिकल कम्प्लेक्स के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11 जुलाई 1990 को प्राप्त हुआ था।

New Delhi, the 11th July, 1990

S.O. 2095.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C. Co. Ltd. Coal Chemical Complex and their workmen, which was received by the Central Government on 11-7-1990

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri S. K. Taranadh, B. Com., B.L., Industrial Tribunal.
Industrial Dispute No. 17 of 1989

Dated, the 12th June, 1990

BETWEEN

The Workmen of S.C. Co. Ltd., Coal Chemical Complex,
Naspur-504302 Via Mancherial, Distt. Adilabad.

AND

The Management of S.C. Co. Ltd., Coal Chemical Complex,
Naspur-504302, Via, Mancherial Distt. Adilabad.

APPEARANCES :

None—for the Workman.

S/Sri K. Srinivasa Murthy, Miss. G. Sudha and Mitra Das, Advocates—for the Management.

AWARD

The Government of India, Ministry of Labour by its Order No. L-22012/72/88-D.IV (B), dated 20-12-1988 referred the following dispute under section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Singareni Collieries Company Limited and their workmen to this Tribunal for adjudication :

"Whether the action of the management of M/s. Singareni Collieries Co. Ltd., in relation to their Coal Chemical Complex, Naspur-504302 Via Mancherial, Distt. Adilabad (A.P.) in denying promotion to Sri P. Venkat Rao, Watchman, S&PC Department to the post of Jamedar, is justified? If not, to what relief the workman concerned is entitled?"

This reference is registered as Industrial Dispute No. 17 of 1989 and notices were issued to the parties.

2. A perusal of the record indicates that the petitioner was set ex parte as early as on 13-6-1989 and only a counter was filed by the Management contending that the workman in question is working as acting Jamedar from 1-4-1987. He

was appointed in the Company as General Mazdoor on 1-12-1976, promoted as Watchman from 1-1-1978 and confirmed as Watchman in Grade 'G'. He failed H.S.C. There are 23 Watchman working in Coal Chemical Complex and to supervise them two Jamedars are posted. The appointment from Watchman to Jamedar is a promotional post, and whenever there is vacancy, it will be filled up from competent eligible watchman after exposing them for a test and interviews. If any Watchman is acting as Jamedar, he will be paid acting allowance. It is true that there is a clear vacancy but the petitioner appeared for the test on 18-6-1989 but was not selected in the Written Test and hence he cannot be appointed as a Jamedar. Thus, though he is acting as Jamedar from a very long time, he failed to qualify to be appointed as permanent Jamedar and hence the Company action is justified.

3. MW-1 namely the Personnel Officer of the Coal Chemical Complex, Man-herial, one Satyanarayana was examined. He spoke in support of the contentions raised in the counter.

4. A perusal of the counter and deposition clearly indicates that the action of the Management is fully justified as he failed to qualify himself for promotion as Jamedar by failing the test.

5. In view of all these things, an Award is hereby passed upholding the action of the Management.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 21st day of June, 1990.

K. TARANADH, Industrial Tribunal
[No. L-22012/72/88-D.IV (B)]

APPENDIX OF EVIDENCE

Witnesses Examined
for Workman :

NIL

Witnesses Examined
for Management :

MW-1—D. Satyanarayana.

Documents marked for the Workmen :

NIL

Documents marked for the Management :

NIL

K. TARANADH, Presiding Officer

का. आ. 2096.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गिरमिंट काल्यरी आफ मै. ईस्टर्न कोल-फील्ड्स लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 11 जुलाई, 1990 को प्राप्त हुआ था।

S.O. 2096.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Girmint Colliery of Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 11-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 2/89

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the management of Girmint Colliery of M/s. Eastern Coalfields Ltd.

AND

Their Workman

APPEARANCES :

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri Sanjib Banerjee, Asstt. Secretary of Koyala Mazdoor Congress Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 29th June, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/87/88-D.IV (B) dated the 21st November, 1988.

SCHEDULE

"Whether the Management of Girmint Colliery of M/s. E.C. Ltd., Sripur Area, P.O. Charanpur, Distr. Burdwan in altering the year of birth of Sri Hansraj Chamer, Underground Loader from 1930 to 1928 without giving any opportunity was justified ? If not, to what relief the workman was entitled ?"

2. Today (29-6-90) is fixed for hearing of the case. Sri P. K. Das the learned Advocate for the management is present. Sri Sanjib Banerjee, Asstt. Secretary of Koyala Mazdoor Congress is present on behalf of the union. Sri Banerjee submits that the workman is not taking interest in the proceedings of this case and he has no instruction to proceed with the case.

3. In such circumstances, it appears to this Tribunal that no dispute exists between the parties. Accordingly a 'no dispute' Award is passed in this case.

N. K. SAHA, Presiding Officer
[No. L-22012/87/88-D.IV (B)]

का. आ. 2097.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, वेस्टर्न कोल फील्ड्स लि. पेन्च ऐरिया परासिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बनाम न्यायालय जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 जुलाई 1990 को प्राप्त हुआ था।

S.O. 2097.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Western Coalfields Ltd., Pench Area, Parasia and their workmen which was received by the Central Government on 10-7-1990.

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(43)/1982

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Pench Area, P.O. Parasia, Dis-

trict Chhindwara (M.P.) and their workmen, named in the Schedule to the reference order, represented through the Secretary, Samyukta Khadan Mazdoor Sangh (AITUC), P.O. Chandametta, District Chhindwara (M.P.)

APPEARANCES :

For Union—Shri P. K. Benerji.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal Mining DISTRICT : Chhindwara (M.P.)

AWARD

Dated, the 27th June, 1990

This is a reference made by the Central Government in the Ministry of Labour, vide its Notification No. L-22011 (10)/82-D.IV (B) dated 18th June, 1982, for adjudication of the following dispute :—

SCHEDULE

"Whether refusal of the management of Pench East Colliery of Western Coalfields Limited, in Pench Area, P.O. Parasia, District Chhindwara to provide work to Shri Ramjamam and 300 others truck loaders (whose names are given in Annexure) employed at their Dighawani Quarry and to regularise them as Colliery workers is lawful and proper? If not, to what relief are these workmen entitled?"

"Whether the dismissal of S/Shri Ayub S/o Hafijullah, Fuljhar S/o Anoop, Setband S/o Pampat, Dhonda S/o Charitra, Baliram S/o Panchoo, Yashin S/o Sahadat, Tub-loaders, Pawanwara Khas Colliery of Pench Area of WCL, P.O. Parasia, District Chhindwara w.e.f. 24-4-78 was legal and justified. If not, to what relief are these workmen entitled?"

"Having regard to the Arbitration Award dated 16-9-77 in the case of Shri Ramuttin, Tub-loader, whether the workman named above is entitled to wages for the period from 1-10-75 to 17-9-77. If so, to what relief is the workman entitled?"

ANNEXURE

LIST OF LABOURERS OF PENCH EAST QUARRIES

Sl. No.	Name	Father's Name
1	2	3
S/Shri		S/Shri
1.	Ramjana	Balchand
2.	Jhinaku	Budhao
3.	Shriram	Jagdish
4.	Rajnandan	Ramlal
5.	Sitaram	Triveni
6.	Dwarka	Kisan
7.	Sudeshi	Jangi
8.	Shivshanker	Mahavir
9.	Murli	Bharosa
10.	Rajendra	Garib
11.	Nagendra	Chandi
12.	Rampalat	Nathai
13.	Hira	Munni
14.	Uttiom	Ramkishan
15.	Sharma	Tapasi
16.	Chhotelal	Patiraj
17.	Shyambali	Pawaru
18.	Hasim Ali	Bhauzadar
		Miyan
19.	Ambika	Chhotelal

1	2	3
S/Shri		S/Shri
20.	Daroga	Brichha
21.	Ramject	Ghamni
22.	Singhasan	Lutawan
23.	Sharda	Mukkar
24.	Buddhu	Chunni
25.	Kanhay	Buddhu
26.	Harinarayan	Billar
27.	Suresh	Barkhu
28.	Chandrabhan	Thag
29.	Lalchand	Jokhu
30.	Sarpadco	Bhola
31.	Naubat	Banwari
32.	Harinandan	Mukurdhan
33.	Jalandhar	Rajdco
34.	Harihar	Sumer
35.	Ramanand	Vasudeo
36.	Shivpujan	Mohan
37.	Setu	Medi
38.	Rampyare	Mangaru
39.	Louhar	Chhabu
40.	Ramharan	Jaddu
41.	Sadhuwan	Rasru
42.	Nandlal	Bhabhuti
43.	Sabboo	Moti
44.	Ramanand	Khed
45.	Lalpath	Bhimbali
46.	Ramvilas	Bechu
47.	Rajkumar	Chanddeo
48.	Idrish	Khalil
49.	Ramadhari	Muneshwar
50.	Shafiq Ahmed	Mohd. Israil
51.	Madan Singh	Shadeo Singh
52.	Banarasi	Ramjash
53.	Kishan	Rudal
54.	Chandrama	Naresh
55.	Ramawadh	Bhola
56.	Ramnayan	Dukhi
57.	Angad	Ramnarayan
58.	Lakhanraj	Yamuna
59.	K. Sahgi	Badal
60.	Mahendra	Vishunath
61.	Mullan	Lotan
62.	Munna	Kamli
63.	Balli	Guput
64.	Nanbelal	Bachchi
65.	Dhanjay	Rampati
66.	Harihar	Buddhu
67.	Tufani	Dukhbhanjan
68.	Smt. Betiabai	Babulal
69.	Samoti Bai	Chhotelal
70.	Shyamwati Bai	Durakchand
71.	Gyanwati Bai	Chhotelal
72.	Basanti Bai	Kamal
73.	Shyamabai	Meetlal
74.	Dayanand	Shri Siddha
75.	Purnmasi	Jitai
76.	Innarc	Chhedi
77.	Jitai	Jagdev
78.	Radheshyam	Sohan
79.	Ramrij	Gatti
80.	Bechu	Sujnarayan
81.	Ramlagan	Patiraj
82.	Nandu	Beni
83.	Kedar	Jitai
84.	Murailal	Sukdev

1	2	3
	S/Shri	S/Shri
85.	Jitan	Rambali
86.	Ramjanam	Bikkal
87.	Swaminath	Santraj
88.	Chouthi	Patru
89.	Shikari	Zitah
90.	Rambhawan	Jhojhi
91.	Singhasan	Narayan
92.	Ramsajan	Siddhu
93.	Humar	Rupayi
94.	Dalsingar	Ramai
95.	Deviwal	Tilak
96.	Jamir	Aljam Miyan
97.	Chandradgo	Nihor
98.	Ramvriksha	Bansraj
99.	Dayaram	Bobari
100.	Bihari	Nandan
101.	Gulab	Shobhan
102.	Shrikisan	Gaya
103.	Chhotelal	Chakodi
104.	Ramvilas	Sodagar
105.	Abhinath	Hansraj
106.	Bidbichand	Ramugrah
107.	Motii	Ramlal
108.	Subhas	Timbhare
109.	Jhullan	Gajadhar
110.	Lakhan	Ramdas
111.	Bechan	Shivmangal
112.	Jogendra	Budhai Pd.
113.	Balikaran	Bhual
114.	Rambachan	Atawar
115.	Rampathati	Pradev
116.	Rattu	Mahavir
117.	Mukhut	Sahdev
118.	Keshav	Rattu
119.	Ambika	Ramlai
120.	Ramahya Singh	Ramlal Singh
121.	Brijlal	Sarju
122.	Ramkaran	Pyare
123.	Ramawadh	Chillar
124.	Ramkishan	Bihari
125.	Balwantmani	Mutinathmani
126.	Shyamlal	Akakalu
127.	Punjabi	Munni
128.	Brahma	Jhapsi
129.	Nandlal	Sahdeo
130.	Ramba	Shyamlal
131.	Virendra	Banwari
132.	Ramchandra	Sunder
133.	Kanta	Chothi
134.	Ramakant	Munnar
135.	Ram Samuj	Lalai
136.	Santram	Ramugrah
137.	Durgesh Kumar	Sohrat Pd.
138.	Virendra Kumar	Ramashankar Singh
139.	Jagdish	Astami
140.	Visudeo	Bala
141.	Saijat	Subrati
142.	Vrikshan	Butan
143.	Ambhar	Gorakh
144.	Mohandeen	Shahadat
145.	Ramji	Ramdas
146.	Bikho	Vishwanath
147.	Raghuvir	Suklu
148.	Khaderu	Sukhram
149.	Ramesewak	Samru

1	2	3
	S/Shri	S/Shri
150.	Ramji	Chatanki
151.	Phiri	Sarju
152.	Saral	Gokula
153.	Rajender	Sahdeo
154.	Nageshwar	Ramker
155.	Bechu	Gowardhan
156.	Ramkisan	Budhu
157.	Sudama	Chanchli
158.	Bhabhuti	Ramayan
159.	Sadai	Butai
160.	Brijlal	Chaggu
161.	Pancham	Sudeshi
162.	Subhas	Balgovind
163.	Rajkishor	Laldhar
164.	Shivshankar	Kosa
165.	Ramchand	Rampati
166.	Lalman	Manki
167.	Bhuraram	Bajairam
168.	Abhimanyu	Vikrama
169.	Lalan	Sukhraj
170.	Paras	Munni
171.	Ganju	Rajdeo
172.	Brijlal	Sarju
173.	Chokat	Budhiram
174.	Nanku	Bhulai
175.	Jangbahadur	Mukhram
176.	Ramgovind	Rambhadr
177.	Shahbahadur	Kanhe Ram
178.	Baramdeo	Ram Prasad
179.	Murti Yadav	Banhu Yadav
180.	Bachchu	Jitau
181.	Kan a	Kulhar
182.	Dalinger	Katwaru
183.	Dalharath	Subadar
184.	Pabhnath	Sokha
185.	Dinanath	Katwaru
186.	Vishwanath	Billar Bhagat
187.	Paras	Ramdeo
188.	Pabhnath	Sahdeo
189.	Jittan	Sunnar Rao
190.	Shivjanam	Purnamesi
191.	Phekram	Jetan Ram
192.	Shivdhani	Sunderbhan
193.	Ramshankar	Sitarum
194.	Amla	Dalsingar
195.	Satama	Bandi
196.	Ramayan	Ramshad
197.	Pratap	Ramdeo
198.	Ramand	Sakhichand
199.	Shivpajan	Ramjatan
200.	Ramkuwan	Jaribonchan
201.	Ramgati	Vasdeo
202.	Ramdas	Munnar
203.	Mishri	Thegi
204.	Ram Awadh	Schawan
205.	Dhirja	Ramkewal
206.	Nayanand	Gapi
207.	Ram Nwas	Hemam
208.	Suresai Pd.	Khudai
209.	Gulab	Sunnar
210.	Pahtul	Bina
211.	David	George Franklin
212.	Ramayan	Ramlal
213.	Ramsuhai	Jindi
214.	Shriparth	Ghuha

1	2	3	1	2	5
S/Shri	S/Shri		S/Shri	S/Shri	
215. Kailash	Jitau		279. Ramvilas	Phauzi dar	
216. Tapan Kumar	Vishwanath		280. Norang	Dhawli	
217. Akhil Ranjan	Subhodh		81. P. abhinarath	Tuwar	
218. Shishir Kumar	Ramlal		282. Shobhnath	Dharamdeo	
219. Rampasad	Rajaram		283. Rajkumar	Shivgovind	
220. Tufani	Gunai		284. Bhacat	Mahesh	
221. Kalicharan	Isri		285. Ramkishan	Banwari	
222. Rampati	Ramkanhai		286. Ramnareesh	Prabhu	
223. Rajendra	Sarju		287. Ravindra	Anantha	
224. Rambhuwan	Badi		288. Bhagwan	Raghunath	
225. Mohan	Shivmuni		289. Satrughna	Arakshit	
226. Ghagur	Deu		290. Murli	Arakshit	
227. Imtyaz	Ismail		291. Shatrughna	Jaria	
228. Ramnareesh	Bisai		292. Kabbi	Mangeta	
229. Ram darash	Dhanesh		293. Abhimanyu	Kapil	
230. Santram	Parwat		294. Godhra	Balram	
231. Bidesh	Balkaran		295. Sanyasi	Bairagi	
232. Sheikh Mukhtar	Sheikh Hyder		296. Pafulla	Yudhishtir	
233. Biddhi	Surajbali		297. Ramchnder	Mahant	
234. Ram Swasth	Ramkishan		298. Panchu	Somwari	
235. Gautam	Narayan Chand		299. Atarlal	Taitu	
236. Ajit Kumar	Visheswar		300. Bhrigunath	B.chai	
237. Sheikh Inklain	Hamal		301. Ghanshyam	Shital	
238. Mohi. Salim	Samsuddin Sumera				
239. Chothi	Ramnath				
240. Ramnareesh	Vindhyachal				
241. Nareesh	Nauratan				
242. Harihar Pd.	Innar				
243. Kaviraj	Ayodhya				
244. Ramparvesh	Inarshah				
245. Bhigal	Rupchand				
246. Dewa	Shivbrchan				
247. Hiralal	Muthurau				
248. Ramiishor	Lalsa				
249. Indal	Bekaru				
250. Purnamasi	Jagat				
251. Bhujaram	Rudal				
252. Gopal	Ramnath				
253. Ramawadh	Nemdhari				
254. Lalji	Sukhhahal				
255. Hiralal	Ramharakh				
256. Lola	Shyاملal				
257. Nareesh	Tufani				
258. Ramshankar	Dudhai				
259. Gaurchand	Ganendra				
260. Chandrika	Chamhit				
261. Suresh	Jagunandan				
262. Shankar	Jayshri				
263. Mangal	Vriksha				
264. Dhamchand	Jitau				
265. Sakhillal	Rajbali				
266. Rajkishor	Bandhan				
267. Vasudeo	Lutawan				
268. Bhan	Kuber				
269. Chironjilal	Sukhraj				
270. Mukhram	Raghuvir				
271. Ramjit	Baburam				
272. Motigiri	Jamunagiri				
273. Havaladar	Jhillu				
274. Rajendra	Prithvi				
275. Shivmuni	Algu				
276. Dharamdeo	Ramlochan				
277. Siwarjeet	Patiraj				
278. Ramchand	Ramroop				

2. In this order of reference there are three disputes viz. (1) between the management and the alleged refusal on the part of the management to provide work to 301 workers; (2) dismissal of six workmen; and (3) entitlement of wages to the workman for the period 1-10-1975 to 17-9-1977 as per Arbitration Award dated 16-9-1977 in the case of Shri Ramuttin, Tub-loader. In order that the adjudication about these disputes may be convenient the order of reference was divided into three parts and separate numbers were given i.e. 43/82, 43-A/82 and 43-B/82 see proceedings dated 13-7-1982. Case No. 43/82 is confined to the dispute of the alleged refusal on the part of the management to provide work to 301 workers. Case No. 43-A/82 is regarding the dismissal of six workmen and Case No. 43-B/82 is related to the entitlement of wages of Ramuttin for the period 1-10-75 to 17-9-1977.

3. The disputes regarding dismissal of six workmen (Case No. 43-A/82) and entitlement of Wages for the period 1-10-75 to 17-9-1977 (Case No. 43-B/82), referred in paras second and third under the Schedule to the order of reference have been settled mutually on 20-4-87 and 1-11-88 respectively between the parties and vide application dated 13-6-1990 the parties viz. Shri P. K. Banerji for workmen and Shri Rajendra Menon, Advocate, for management moved an application to the effect that these disputes having been settled no dispute award be passed in this regard. No dispute award be passed accordingly.

4. The only dispute now remains to be adjudicate upon is Case No. 43/82 i.e. whether refusal of the management to provide work to 301 truck loaders employed at their Dighawani Quarry and to regularise them as Colliery workers is lawful and proper and if not, to what relief these workmen are entitled?

5. Parties filed their pleadings and documents. Non-controversial fact of the case is that labourers were engaged for loading and unloading trucks. Management of Pench Area is part and parcel of Western Coalfields Ltd. and started mining operations in the open cast quarry/mines numbering five in all. These mines are situated on both the sides of river Pench.

6. The case of the Union in brief is that in April 1979 new coal basin was struck to the relief of the workmen and management who were worried about the consequences

of labourers of mines due to coming exhaustion of coal and other reasons. The workers who had been rendered surplus hoped to get employment. All the five quarries started functioning more or less simultaneously, first the operation of removing of over burden, then the coal production. For removal of over burden, the use of bulldozers was freely made. The machine was hired. This was a work on contract. This was done in order to by-pass the decisions of National Tribunal, Calcutta, prohibiting removal of over burden on contract basis. In the operation of the over burden private persons who were not the employees of the management were allegedly allowed to work in the mines in gross violation of the provision of the Mines Act, 1952. The Union has further contended that for coal raising and despatch the workmen in the schedule picked pieces of coal, big and small from the area of mine that was blasted, and loaded them in the trucks, which were waiting at the pit. In order to deny that these workmen were their employees, the management deliberately did not keep any statutory register as per Mines Act, 1952, no-payment register in accordance with Wages Act, 1936, which is illegal.

7. The fact that private consumers brought their own workers to load trucks in the mines is a flat contravention of the Mines Act 1952 and therefore illegal. That apart, it is factually incorrect. It is these workmen who loaded the trucks that came there. By and by the management tried to remove the workmen from their services and 37 of them were removed. The Union took up their case and by arbitration award they were provided job.

8. The Union has further contended that on the complaint of the Union, the Director General of Mines Safety inspected the work of the mines and ordered that alleged violation and deficiencies be removed and only after that the mine may be restarted. When the mines reopened, the management brought pay loader machine and used it to load trucks which did not belong to the W.C. Ltd. but to private consumers. Thus these truck loaders were stopped from work from April 1986.

9. Consequent upon abolition of contract system practically in all the jobs connected with raising and despatch of coal, the management started to get the job done through contractors. Road side sale of coal is one of such forms. A large quantity of coal used to be sold by management by way of road side sale. The trucks were brought to the quarry by the consumers and they were filled in by these workmen.

10. The management has been prosecuted for removing over burden through contractor. Despite that, the management continued to do this because if proper attendance of truck loaders is maintained, then they would have to give proper account of coal raised, wages and allowance paid and these workmen would have to be regularised in accordance with law. The management is also not registered under Contract Labour (Regulation and Abolition) Act, 1970, hence also these workmen must be treated as employer's workmen. Thus these workmen are the employees of the management as they worked and loaded trucks coming to the mines for taking coal. The Union therefore, prayed that Shri Ramjanam and 300 other workers named in the Schedule be regularised as colliery workers with effect from 1979.

11. The case of the management in brief is that Ramjanam and 300 other truck loaders never worked in Dighawani Quarry. The appropriate Government to make a reference, if at all, is the State Government which can make the reference. The present reference is totally different from the demand made by the Union and the Central Government has made this reference without applying its mind. The Union has no locus standi to raise the dispute. According to Union's own bye-laws, the 301 individuals could not have been members of the said Union. Union Bye-laws do not permit enrolment of outsiders as members. Therefore, the Union could not have sponsored the case of outsiders and the sponsoring itself is without jurisdiction. The demand itself is vague inasmuch as no details of the service period, date of appointment, period of appointment, place of work etc. have been given and as such there was no material before the Government to make a reference.

12. The management has further contended that the procedure for employment in Mine is that vacancies are notified

to the Employment Exchange and after other formalities selection is made. The alleged workmen were never employed. Therefore, there was no employer-employee relationship between them and the management. Their names do not find place in any statutory register maintained by the management. Further they were totally outsiders/strangers having no connection with the management. Hence no one has any right to work with the management nor is any duty cast on the management to provide work to outsiders. The management has denied that these people were truck loaders employed in Dighawani Quarry. The management did not remove any workmen from service. Names of alleged 97(37— it should be) workmen have not been given. They were never removed. Sanction U/s. 22(3) of the Mines Act was under operation from 30-4-1980 to 20-6-1980 and pay loaders machines were already with the management though the mines were closed for some time.

13. It is contended by the management that there was road-sale of coal and purchasers used to bring their trucks for taking coal. Along with the trucks, they also used to bring their own workers for loading their own trucks. Persons employed by the truck owners varied from time to time. The management does not know whether these 301 persons are those who were employed by truck owners from time to time. They are totally unknown entities to the management. No truck ever came to the pit. Central Government is, therefore, not the appropriate Government to make the reference. Management has no obligation whatsoever for giving them employment, nor they have any right to employment. Loading of coal in trucks is not in any way connected with mining operation. There is already a surplus staff with the management. It is, therefore, by the management that the workmen are not entitled to employment, regularisation or any other relief whatsoever.

14. The management and the Union have reiterated the same contention in their respective rejoinder.

15. On the above contentions of the parties my learned predecessor, Justice Shri S. R. Vyas, framed the following issues arising out the pleadings in case no. 43/82, and my findings with reasons are as under :—

ISSUES

1. (A) Whether the workman Ramjanam and three hundred others named in the Schedule to the order of reference were employees of the W.C. Ltd. in the Pench Area Parasia as alleged ?
- (B) If so, whether the services of these 301 workmen were terminated or the management of the W.C.L. refused to provide work to them?
- (C) If the said 301 workmen were employees of the W.C.L. and they have not been provided with any work, then whether they are entitled to be regularised by the W.C.L.?

2. To what relief are the parties entitled to ?

FINDINGS WITH REASONS :

16. Issue No. 1(A):—At the outset it was urged on behalf of the Union that this Tribunal cannot go beyond the terms of reference and this Tribunal has no jurisdiction to give a verdict on the point whether these 301 truck loaders were employed or not at Dighawani Quarry, because according to the terms of reference the Government has already concluded that these truck loaders were employees of the management at their Dighawani Quarry and as such this Tribunal cannot go beyond the terms of reference. In this regard, my attention was drawn towards S.C.L.J. 1950- Second Revised Edition Vol. VII at page 226. This case relates to Calcutta Electric Supply Corporation Ltd. and Calcutta Electric Supply Workers Union and others. In this case, the terms of reference related to medical aids to the workers but the learned Tribunal went beyond the scope of the terms of reference and directed the employer to provide aid for the family of the workmen. In this context, it was held that in construing the terms of reference and in determining the scope and nature of the points referred to the Industrial Tribunal the Court must look at the order of reference itself. It is only the subject matter of reference with which an Industrial Tribunal can deal.

17. Similar question arose in the case of *M/s. Firestone Tyre & Rubber Co. of India (P) Ltd. Vs. Workmen employed represented by the Firestone Tyre Employees Union* (AIR 1981 SC 1626). In this case it was held that reference was only to the question as to whether the workmen shown in two parts of a paragraph in the Schedule attached to the reference should be reinstated was referred, and the Tribunal gave finding that due to subsequent reinstatement of workmen shown in one part of the para there was discrimination and also unfair labour practice was involved, the Tribunal would be deemed to have travelled outside its jurisdiction in recording a finding of unfair labour practice or discrimination. It was further observed that the issue of unfair labour practice or discrimination by reason of subsequent reinstatement on a permanent basis of some and not all was not a matter referred to the Tribunal for adjudication, nor it could be said to be in any way connected with or incidental to the rights as claimed by the workmen, from the date of their dismissal.

18. While dealing with these aspects of the case, we must first look into the relevant provisions of law which has been enumerated in Sec. 10 Sub-section (4). Sub-section (4) of Section 10 runs as follows:—
Section 10(4) of I.D. Act :

“Where in an order referring an industrial dispute to a Labour Court, Tribunal or National Tribunal under this section or in a subsequent order, the appropriate Government has specified the points of dispute for adjudication, the Labour Court or the Tribunal or the National Tribunal, as the case may, shall confine, its adjudication to those points and matters incidental thereto.”

Thus according to the aforesaid provision the Tribunal while adjudicating upon the dispute shall confine its adjudication to the points referred and matters incidental thereto.

19. Making an order of reference under Sec. 10(1) is undoubtedly an administrative function of the appropriate Government based upon its own opinion with respect to the existence or apprehension of an industrial dispute and its subjective decision as to whether it would be expedient to make a reference or not. Though the earlier thinking was that such an order cannot at all be interfered with by the Courts, the recent trend of the judicial thinking is that though in a very limited field the order of reference is amenable to judicial review under certain circumstances. (1) 1970-II-LJ 256(SC); AIR 1969 SC 707-715 (2) 1968-II-LJ 834 SC; AIR 1967 SC 295 (309) (3) AIR 1970 SC 564 at page 644 para 233 (4) 1972-I-LJ 437 SC; 1972-II-LJ 657 SC) (From Malhotra on The Law of Industrial Disputes, Fourth Edition Vol. I page 613).

20. From the above decisions no exhaustive & final criteria emerges as to on what ground an administrative order is amenable to judicial review. Nor any such exhaustive or final criteria is possible in growing branch of law like the administrative law. Thus if the Government making the reference is not the appropriate Government within the meaning of Sec. 2(a) of the Act, the reference shall not be a valid reference.

21. The adjective “industrial” in the definition of I.D. Act relates to the dispute in an industry as defined in Sec. 2(j) of the Act (*Madras Gymkhana Club Employees Union Vs. Gymkhana Club*-1967-II-LJ 720(SC)). In other words, besides the requirements of Sec. 2(k) unless the dispute is related to an industry as defined in Sec. 2(j) it will not be an industrial dispute. Therefore, if the reference is made of a dispute which relates to any activity which is not of industry, it will not be a valid reference. Corollary to this proposition is that the dispute should be in a live industry and not in a dead or closed industry as the definition of industrial dispute presupposes continuance of industry. (*Pipraich Sugar Mills Ltd. Vs. Pipraich Sugar Mills Mazdoor Union* 1957-II-LJ 235 SC) (O.P. Malhotra's book supra p. 610). In the same way, although a reference in a general term it must cover all the members of the known class of workmen. Where it is worded in such a manner that it cannot be predicted any particular workman i.e. he is a party to the proceedings, the reference shall be defective. Where notification that a dispute relating to the retrenchment etc. of workman is referred to the Tri-

bunal, a person who claims to be a worker and insists that his case should be decided by the Tribunal he cannot take up the contention that the reference is not valid under Sec. 10 because it has not specified the names of the workman. That being so, the Tribunal is also entitled to decide that he is not a workman and refuse to pass any order when he approaches it. (*Sunder Lal Saxena Vs. Hindustan Commercial Bank Ltd.* AIR 1953 All. p. 260—O. P. Malhotra book supra p. 613—622). The word ‘incidental’ is defined as ‘referred to under Sec 10(4) means, according to Webster's New World Dictionary: “happening or likely to happen as a result of or in connection with something more important; being an incident; casual, hence, secondary or minor, but usually associated.” In the words of Mitter J. “something incidental to a dispute must, therefore, mean something happening as a result of or in connection with the dispute or associated with the dispute. The dispute is a fundamental thing while something incidental thereto is an adjunct to it. Something incidental, therefore, cannot cut at the root of the main thing to which it is an adjunct. A point is incidental to another point when the former necessarily depends upon the other. “Incidental” implies a subordinate and subsidiary thing related to some other main or principal thing requiring casual attention while considering the main thing. It is obvious, therefore that the matters which require independent consideration or treatment and have their own importance, cannot be considered as “incidental”. The words “matters incidental thereto” should not be interpreted so as to give vague and indeterminate jurisdiction to the Tribunal, especially over independent matters. A matter which is independent in one context, may become subsidiary in another matter in a different context. It all depends how and under what circumstances it arises. In other words, the question whether the one adjudication matter is incidental to the adjudication of another depends on the facts of the case, the pleadings of the parties and the issues which properly arise for determination on the pleadings. The words “incidental thereto” in Section 10(4) do not have the same meaning as the words “relevant to” occurring in clauses (b) (c) and (d) of Sec. 10(1). The matters covered by later expression must be specially referred for adjudication while the matters covered by the former expression need not be specifically referred to as they can be adjudicated upon as a part of main dispute. For instance on an industrial dispute being referred to if the Tribunal has jurisdiction to determine whether on the facts placed before it, on an industrial dispute within the meaning of Section 2(k) has really arisen or the concerned persons are “workmen” as defined in Section 2(s) or a particular undertaking is an ‘industry’ within the meaning of Sec. 2(j) or such industry is a live industry or a closed industry. Such questions can be validly examined and adjudicated upon by the Tribunal as matters incidental to the points of dispute specified in the order of reference. These matters have not only to be determined as matters incidental to the dispute but have necessarily to be determined as collateral or jurisdictional issues as the jurisdiction of the Tribunal depends upon such determination, or adjudication (See O.P. Malhotra supra pages 685 to 686).

22. In view of the above discussion, it can be safely said that though the scope of the Tribunal is limited in regard to adjudication on the terms of reference and it cannot go beyond the terms of reference, but at the same time the Tribunal can certainly look into the facts under the terms of reference to find out whether it has jurisdiction or not and as such it can certainly find out whether there is an industrial dispute or the dispute relates to an industry or reference is made by the appropriate Government or the dispute relates to the workman etc.

23. That apart, the reading of the terms of reference would not land us to a conclusion that the terms of reference have proceeded with the presumption that the alleged 301 workmen were the employees of the management. The terms of reference only say whether the refusal of the management of Pench East Colliery of Western Coalfields Ltd, in Pench Sub-Area to provide work to the 301 truck loaders employed at their Dishawani Quarry and to regularise them as colliery workers is lawful and proper?

The terms of reference nowhere show that the workers earlier worked in Dishawani Quarry as employees of the management and they were removed or stopped from service.

The interpretation can be both ways as to whether these workers employed at Dighawani Quarry of the management were the truck loaders of the management or the contractors. It was urged that in this regard the benefit of interpretation should go in favour of the workmen and it should be held that the term of reference mentions that the alleged truck loaders were employed by the management.

24. In this regard, previous history of this case was brought before me. It is not disputed that these quarries were working since prior to 1979-80, but on the report of the Deputy Director of Mines Safety's letter dated 30-4-80 Quarry no. 3 of no. 1 seam of Pench East Colliery was closed down under Sec. 22(3) of the Mines Act due to the violation of certain law and it remained closed for about three months i.e. from 30-4-80 to 20-6-80 (rejoinder of management para 9) and started after curing the defects. These orders have been filed along with the rejoinder of the management dated 3-11-1982. The workmen have also relied on Ex. W/1 to Ex. W/5 in this regard and it is not a disputed fact that these quarries remained closed for about three months. It is pertinent to note that as per Ex. W/36 dated 5-5-80 various complaints including complaint dated 5-3-80 were made by Shri Chatterjee about the irregularities & illegalities perpetrated by the management in consequence of which the Deputy Director of Mines & Safety inspected the mines and ordered closure of the same (open cast Quarry of Pench East Colliery).

25. According to the Union not only the dispute relating to 334 workmen including 37 workmen (case of these 37 workmen as pleaded in the statement of claim) was raised by this Union but after their dispute was referred to arbitration, truck loaders i.e. the workmen under reference were stopped by closure of mines and therefore their case was subsequently raised (See Ex. W/25 and Ex. W/6 dated 10-2-81 referring to strike notice dated 29-1-81). According to the award Ex. W/25 dated 17-5-80 as also Ex. W/38 & W/39 the 37 workmen were ordered to be reinstated and the procedure of reinstating the remaining workmen was laid down in the said award. But the dispute relating to 301 workmen which was raised subsequently was not settled and therefore it was referred to this Tribunal by the Government at the instance of conciliation machinery.

26. According to the Union, if these facts are kept in mind it can be well understood that the reference presumes that the 301 workmen were the employees of the management. It was further urged that the dispute of 37 workers were part of these 301 truck loaders of the management and this fact can be gathered from the award Ex. W/25 where the management's view has been referred.

27. With this background, the Court should presume that these 301 workmen were employees of the management according to the terms of reference and this Court cannot go behind the term of reference. See also order passed by the M.P. High Court dated 2-8-89 in M.P. No. 3958/88 *Arad Koyala Shrimik Sabha Vs. W.C.I.* which runs as under:—

"It is apparent from reading the said reference that it proceeded on the assumption that the persons mentioned in the schedule had been employed as the workers by the respondents and the only question which was to be decided by the tribunal was whether after the termination of their services they were entitled to be re-employed u/s. 2-H (25 H) of the Industrial Disputes Act.

In our opinion, the above said being the scope of the reference, the Tribunal committed an error, which is apparent on the face of the record, by examining the question whether the persons mentioned in the schedule had ever been employed as workmen by the respondents—employer. The said matter was beyond the scope of reference and the Tribunal committed an error of jurisdiction in proceeding to decide the said question."

28. It is true that the Union has a strong case in this regard, but at the same time the possibility as pointed out above is not ruled-out else the terms of reference could have been specific in regard to these 301 employees specifically stating the terms of reference that they were the

employees of the management. Whatever the case may be, I must proceed with the assumption with all that background as pointed out on behalf of the Union, that this Tribunal has to decide on the point whether 301 workmen were workmen of the management or not. In this context, I shall also be required to see whether these alleged truck loaders were employed by the contractors or they were labourers who may have been brought by the private persons to load the truck at the dumping site. At this juncture, I must keep in mind the terms of reference which show that these workmen were employed at Dighawani Quarry and this fact is amply established from the evidence on record also. To repeat even questioning this part of the correctness of the terms of reference this Tribunal can certainly come to a positive conclusion that these truck loaders were employed at Dighawani Quarry.

29. Coming to the evidence on record in this regard, I must first point out that as per Ex. W/21 to Ex. W/25 the 37 truck loaders as annexed with the award were denied by the management as truck loaders of the management who were subsequently employed by virtue of the award. Management in its written statement could not even deny some dispute relating to these 37 workmen arose as pleaded in para 7 of the statement of claim filed by the Union. Thus the credibility of the management becomes doubtful.

30. But this Court shall not proceed with the assumptions and prejudices and shall appreciate the evidence on record to find out the correct position of facts so far as these workmen are concerned. Management has specifically pleaded that no truck loaders were employed at the Quarry to load the truck of the contractors at the Quarry. According to the management, this work was being done by machine and only few workmen as pleaded in the rejoinder dated 3-11-82, para 3, were deployed.

31. Coming to the oral evidence, management has examined R. K. Mahajan (M.W.1) the then Sub-area Manager, Pench East Sub-Area during 1978 to 1982, B. B. Singh (M.W.2), Manager of Pench Incline and Dighawani Quarry, from April 1979 to June 1981 and H. Singh (M.W.3) Deputy Personnel Manager of Pench East Incline and Dighawani Quarry, Sub-Area from June 1979 to October, 1984.

32. According to M.W.1, R. K. Mahajan, he thinks that the names of 301 persons mentioned in the Schedule to the reference are not mentioned in any of the statutory registers, while as per inspection report Ex. W/3 when the quarry was inspected on 28-4-80, by Deputy Director, Mines & Safety presence of the workers working at the site was not being marked till June 1980. Regarding the register or any other relevant register relating to presence I will discuss later on.

33. This witness has stated that the stock yard was outside the Quarry and the coal was open to sale as it is and where it is placed. He further states that consumers would bring their own trucks and workers for loading the coal from stock yard and after observing certain formalities regarding records and weightment would go to their destination. The consumers were, therefore, responsible for making necessary payments to the transporters and the workers brought for loading the coal. Management had never any control on their time, method and mode of operation and road sale was open during day time. He has specifically stated in his cross-examination that fully mechanised means were used for removing and loading the coal; drilling and blasting of coal was also done by machine. These are Shovels and Dozers. He stated that attendance of persons operating the machine has been recorded.

34. This witness admits that mine was stopped under Sec. 22 of the Mines Act for safety reasons as per Ex. W/1 to Ex. W/5. While explaining the report of the Director of Mines Safety he explained that the question of regularisation of trucks into the Quarries arose on account of an accident of truck helper and it was observed by the Director of Mines that number of trucks inside the Quarry for the purpose of transportation should be regulated. It is not clear from the statement of this witness as to who was the owner of these trucks which were loaded at the Quarry by mechanical process.

35. M.W.2, B. B. Singh, also states that none of 301 persons whose names are given in the Schedule to the reference were employed in Dighawani Quarry. The truck loaders were never employed to work in the quarry. The coal was stocked in the stock yard and from there it was loaded by the loaders in the truck and the loaders were paid by the consumer, or the truck owners. This witness during his cross-examination admits that the trucks which were loaded by mechanical means at the quarry were transported to the railway siding belonged to the contractors. Thus he admits that there was contractors engaged for transportation of coal but he does not know whether any licence under the Contract Labour (Regulation and Abolition) Act, 1970 was taken for appointment of contractors and engagement of contract labour for transportation of coal. At page 8 of his deposition the witness remembers that Pal Brothers and K. K. M. Brothers were the contractors. This witness has admitted at page 6 of his deposition that because of certain technical irregularity the mine was directed to be closed in April 1980. He states that permitting the private contractors with their crew for transporting coal from the coal face did not amount to any illegality. He says that management did not maintain any record of the employees employed by the contractor except maintaining the list of drivers and khulasis supplied by the contractor plying the trucks for transportation of coal.

36. Coming to the testimony of M.W.3, H. Singh, he admits in para 5 of his deposition that 37 workers were covered by the arbitration award of S. N. Pandey, dated 17-5-80. According to him, the case of these 37 workers is altogether different than the present case of 301 workers. It may be recalled that I have already pointed out above that the case of 37 workers was that of truck loaders only (See Ex. W/24 and Ex. W/25). The witness comes out and says that private trucks did not enter quarry for taking the coal. The trucks would go only upto the dumping yard from where they lifted the coal. Contractors are obviously private persons and if version of this witness is accepted it can be said that no truck belonging to a contractor entered inside the quarry and it follows by implication that the management had its own trucks to ply. This witness has specifically stated at page 5 and the last third para that the trucks could go upto certain limit but not to the coal face where quarry operation is carried on.

37. W.W.1, Dayaram, is the Dresser-cum-Driller in W.C. Ltd., Pench Area in the Pench East Colliery and was working in the year 1979-80 in Dighawani Quarry. He states that he was making coal through driller machine at the quarry and after blasting he has to cut the big pieces of coal in smaller pieces. All the coal produced was to be loaded by the truck loaders from quarry to the truck which was waiting in the quarry itself for despatch. There were about 350 truck loaders who were working in the quarry and were supervised by the officers of the W.C. Ltd. He states that without working of the truck loaders the coal produced in the quarry could not be transported out of the quarry. He further says that in the month of February, 1980 some of the truck loaders were stopped from working. Thereafter about 300 truck loaders were stopped from working sometime in April 1980. He further states that the workman under reference were working as truck loaders along with him (Para 1 to 11). During the cross-examination of this witness, he stated in para 3 of his deposition that payment of these truck loaders was made from the payment window of the colliery office. He was suggested in cross-examination (Para 4) that the truck loaders were employed by the truck owners and not by W.C. Ltd. which he denied.

38. W.W.2, Lateef, is one of those 37 truck loaders whose services were terminated and after the award he were taken back in service. He says that he knows the 301 persons whose case is pending before this Tribunal. He further says that these truck loaders were working along with him. They have not been given employment after their termination in April 1980. Nothing specific was brought about in the cross-examination of the witness.

38. W.W.3 and W.W.4, Rajendra and Raj Kumar respectively are those persons whose case is under reference. Ac-

cording to them, they were truck loaders in the Pench East Quarry of W.C. Ltd. along with the other truck loaders whose case is under reference. They say that they served in the year 1979 and their services were discontinued in the year 1980. They say that they were required to pick up coal pieces both big and small from the mine and load them in the trucks that were waiting in the quarry. They had worked for about 2 years. The management without any justification and without any reason has refused to enter their names in the statutory registers as required under the Mines Act. This is what is the case of the Union right from the beginning and was found correct by Deputy Director of Mines & Safety.

40. According to these workmen, they were working in Quarry and the entire work was carried out under the supervision and control of the Manager and Sub-Area Manager, Overman and Mining Sirdars used to supervise their work and give directions to them from time to time. They were about 350 truck loaders, out of them 37 truck loaders have been given regular employment on the basis of arbitration agreement arrived at between the parties. Their payment was Rs. 8 per day. Payment was weekly and was made from the window of the Pench East Colliery by the Payment Clerk of the Colliery. They have denied that they were employed by private truck owners for they used to come along with the private truck owners at the dumping yard to pick up the coal and as such they were the employees of those private truck owners who used to fetch coal from the dumping yard of the coal mines.

41. In this regard, a specific suggestion was made to W.W.5, P. K. Banerjee by the management at page 5 of his deposition. The question and answer are as follows :—

“Question—301 persons were employed by truck owners and coal purchasers ?

Answer—It is incorrect.”

Thus from this suggestion it becomes very clear that even according to the management these 301 persons were truck loaders. This fact further find place in Ex. W/6 which is a letter of the Dy. Chief Personnel Manager dated 10-2-1981 to the Regional Labour Commissioner (Central) Jabalpur. The relevant part of it is as thus :—

“Regarding Shri Ramjanam and 300 others—

These persons were neither appointed nor paid by the management. They were engaged by consumers to whom the coal had been sold at side.”

Obviously, for this reason the dispute arose and the matter was referred and as per terms of reference these truck loaders were employed at the Dighawani Quarry of the management. Even if we go behind the terms of reference to find out the truth we find that the reference is well founded to hold that these 301 truck loaders were employed as truck loaders and they were employed at the colliery itself as there was no occasion for the Deputy Director Mines & Safety (Annexure to the rejoinder dated 3-11-82 which is copy of the letter of the Deputy Director of Mines & Safety dated 30-4-80 referring Regulation 190 the relevant part of the annexure runs as thus, Ex. W/3 is another copy of the annexure)—

“Regulation 190 read with Director General of Mines Safety's Circular No. 1 of 1978 :—

In contravention of Director General of Mines Safety's Circular No. 1 of 1978 private truck with their crew were being permitted to enter the quarry for transporting coal from the coal face. Also local enquiry revealed that unauthorised persons were being permitted to enter the quarry and load blasted coal into trucks.

Also there was no control on the entry of such trucks inside the quarry. As a result in a small area of about 30m x 70m as many as four trucks had entered the quarry bed causing death of a truck helper due to running over by truck.”

This letter further tells as thus :—

"Mines Rules 78 read with Section 48(4) of Mines Rules, 1952 :

The attendance of work persons working in the quarry in second and third shifts was not marked in form 'D' or any other suitable register."

42. The word used "crew" would certainly not mean the driver & khalasi only. The crew as defined in the Oxford Dictionary is as follows :—

"the whole body of man manning ship or boat; associated body, company of persons, set, gang, a mob."

This crew would certainly include the truck loaders also which, according to the management, were brought by the truck owners. According to the management, these trucks along with the truck loaders were brought at the dumping side while according to this report the trucks were brought inside the mines along with its crew which follows that the trucks along with loaders were brought inside the mine for picking up the coal.

43. This report further reveals the mal-intention of the then management because they were permitting unauthorised persons to enter the quarry and load the blasted coal in the trucks. This fact further finds support from this report that the registers, attendance of work of persons working in the quarry in the second and third shift was not marked in Form D or any other suitable registers.

44. Thus when the union has come forward to raise a point to the effect that unauthorised people were permitted to pick up the coal and the attendance of the labourers of the management working in the mine was not marked in 'D' register or any other suitable registers, it follows that unlawful transportation of coal was being carried out from the colliery and obviously for this reason the unauthorised persons were permitted to enter inside the mines along with the trucks and pick up the coal and obviously for this reason the attendance of the workers was not recorded in the relevant registers. Thus this version of the witnesses for the management to the effect that no unauthorised truck was permitted to enter inside the quarry becomes a hollow sound and in this regard the testimony of the witnesses for the workmen gain much weight. The union has rightly come out with a positive case that if proper attendance of truck loaders was maintained they would have to give proper account of coal raised, wages allowance to be paid and the workmen would have to be regularised in accordance with law (Para 8 of the statement of claim) But because the union brought the irregularities to this loot of the management to the notice of authorities the workmen had to suffer and the management came forward with an innocent case that records do not disclose that the persons under reference had ever worked with the management and as such they were not their workmen. It is here that the policy of the Government to enforce workers participation calls for early decision to make a constraint over the exploitation of weaker class on one side and a check over the corruption of the managing authorities on the other side. I do not know whether the Government has taken any action against those officers who were found guilty of violating the rules at their own ends.

45. Coming back to the testimony of the witnesses of the management again, according to M.W.2, at page 5 (last paragraph) no record regarding entry and exit of trucks was maintained by his office. Thus the office of this Sub-Area Manager did not maintain any record of entry and exit of trucks. It follows that this office could not tell as to how many truck load coal was removed. This witness, however, states in his deposition at page 8 that Overmen and Mining Sirdars were supervising the loading of coal in the Quarry. They used to maintain record regarding the number of trucks that have been loaded and quality of coal loaded. At this juncture, I must refer to the statement of M.W.1, R. K. Mahajan, at page 4, that Director of Mines Safety had observed that number of trucks inside the quarry for the purpose of transportation should be regularised because an accident of a helper had taken place. But truth cannot be

held as already observed by the Dy. Director of Mines as discussed above by this last statement.

46. I have gone through the documents Annexure A to D and Ex. W/1 to Ex. W/41 which have been proved by the respective witnesses. But before dealing with the documentary evidence and oral evidence of W.W.3, P. K. Banerjee, who is the man behind the case should also be looked into. This witness is the General Secretary of S.K.M.S. affiliated to All India Trade Union Congress in Western Coalfields Limited, Ranchi and Kamnan Area. This witness has categorically stated that Shri Kamjanani along with 300 others are members of the Union since 1979 and were working as truck loaders of the W.C. Ltd. They used to load the trucks of the contractors which used to come inside the quarry. According to him, these persons were also used for general work, removal of over burden, picking of stones, clearing of place and other miscellaneous jobs within the mine area and inside the quarry when the trucks were not reached for loading. This witness has further stated that the management had refused to enter names of these workers in Form B and D registers and the Union had been protesting with no effect. According to him, the Union had a protest in this regard in consequence of which the Mines Department issued a letter closing down the mines on account of various irregularities including the non-entry of the names of the 300 persons in Form B and D registers. It is true that the order of closure does not specifically show that the names of these 301 workers was not entered in any register but the fact remains that names of the workers working inside the quarry were not mentioned by the management as pointed out by the Dy. Director of Mines Safety and this was one of the reasons why the mine was closed for three months. This fact, clearly shows that the registers of the management were not worth reliance. Now we shall go through the documentary evidence along with the statement of this witness.

47. Ex. W/1 is another copy of Annexure A; Ex. W/2 is the copy of the letter of Director of Mines Safety to the Agent Pench East Colliery withdrawing the order of closure of the mines; I need not deal with Ex. W/3 and Ex. W/4 as also Ex. W/7, Ex. W/8, Ex. W/9, Ex. W/10, Ex. W/11, Ex. W/12 to Ex. W/15 because these relate to conciliation proceedings showing that the conciliation in regard to these workers had failed. Ex. W/16 relates to the demand of the Secretary to give employment to 37 workmen who are working in the quarry but according to this these 37 workers were stopped by the Contractor. It may be added here, inter alia, that it is nobody's case that the contractors had employed these workmen under reference at the quarry. At this juncture, I must also add that it is P. K. Banerjee who was fighting the case of these workers from the beginning and the management never objected to his representation on behalf of these workmen and the objection to this effect was raised for the first time before this Tribunal, hence the case of the management to the effect that these workers were not members of the union, nor Shri Banerjee has authority to represent them has no force and in this regard testimony of the witnesses for the workmen has to be accepted. That apart, right from strike notice to conciliation proceedings it was Shri P. K. Banerjee who represented these workmen and the management corresponded with him only in this regard.

48. Now I will take up Ex. W/19, copy of the plaint filed by the W.C. Ltd. annexed with the documents. Para 4 of this plaint shows that only the persons permitted by the management could enter inside the Pench East Quarry at Village Dighawan and no other person was permitted but the truth is something else. The fact is that the illegal loading of truck relating to which I have mentioned earlier was done with the consent of the management because nobody could enter the quarry without the permission of the management.

49. My attention was drawn towards Ex. W/37, according to which the case of Ayub and six others along with the case under reference was to be considered by the Deputy Chief Personnel Manager because of the threat of hunger strike given by Shri P. K. Banerjee, S.K.M.S. (AITUC) who is representing the case. Thus this case along with the

case of 37 workmen was forced upon the management for consideration on the threat of strike, copy of which is Ex. W/38. Ex. W/39 is the letter issued on behalf of the union to the management making certain demands referring to in their letter dated 4-19-1980. The second part of the demand is as follows :—

पेन्चट ववारी राम जनम तथा अन्य तीन सौ मजदूर वर्यो से काम करते थे माईनिंग द्वारा आपकी गलती के कारण धरा 22 "माईनिंग एक्ट" के महत्त्व ववारी बन्द कर दिया गया जिससे तीन सौ मजदूर को बिना नोटिस दिये आपने गत अप्रैल माह से काम से बैठाया दिया उन्हें तत्काल पगार सहित नौकरी दिया जावे

These facts further reveal that the Union has been contesting this dispute right from the beginning i.e. as soon as these 301 workers were not allowed to work after re-opening of the quarry on 20-6-1980. The better expression would be that these workers were not taken back in service after the mines were reopened according to the Union.

50. From the above discussions, it can be safely held that the workmen Ramjanam and 300 others named in the Schedule to the order of reference were employees of the W. C. Ltd. in the Pench Area, Parasia as alleged. Though it is nobody's case that these workmen were truck loaders of contractors to load coal at the pit, it can be safely said that they were working at the site of the quarry. In this regard, the testimony of the witness for the workmen must be believed and the evidence adduced by the management has to be disbelieved.

51. Now coming to the Contract Labour (Regulation and Abolition) Act 1970, it is needless to say that this fact apply to this management also as per Section 1(4) of the Act and if these workmen are contractors' workmen they are covered under definition of "workmen" as defined in Section 2 of the said Act. Every worker who works for principal employer to whom the provisions of the Abolition Act are attracted is to be treated as the worker of the employer unless the establishment had secured the certificate of registration for the relevant period and it had employed contract labour through a licenced contractor. In this case, there is no evidence to show that the contractors deployed in this quarry to pick up coal by truck had a licence as required by the said Act. Ex. W/23 is the letter of A.L.C. Chhindwara dated 21st September, 1987 according to which the principal employer of of Pench East Colliery and Pench East Quarry (Dighawani Quarry) have not obtained any registration certificate as required by the Section 7 of the Act. No licence has been granted to any of the contractors worked in the said Colliery (See Manual of Labour Laws by Jagdish Lal 1988 Edn. Vol. I at page 3 under the Contract Labour (Regulation and Abolition) Act 1970. I need not go into the relevant provision of law i.e. Sec. 7 according to which the principal employer of a establishment requires registration of the establishment in the prescribed manner and Section 12 calls for registration of Contractor. In the case of Food Corporation of India Loading and Unloading Workers Union Vs. Food Corporation of India (1988 F.L.R. Summary of cases at page 1) it was held that because the Food Corporation of India being an industry within the meaning of I. D. Act having no certificate of registration workmen employed by the Contractor could legitimately claim themselves workmen of the Corporation i.e. the principal employer. It is not a disputed fact here that management is an industry within the meaning of Section 2(j) of the I. D. Act.

52. In this case, the contractor Respondent No. 2 had valid licence while the Corporation did not have a valid registration certificate to engage respondent No. 2 as its contractor for supplying contract labour. In these circumstances, it was held that the employment of this workman as contract labour was not valid in the eye of law and does not give any protection to the Corporation against the termination of the workman by the respondent No. 2.

53. Industrial adjudication generally does not encourage the employment of contract labour in modern times. Whenever a dispute is raised by the workman in regard to employment of contract labour by the employer it would be necessary for the Tribunal to examine the merits of the

dispute apart from the general consideration that the contract labour should not be encouraged, and that in a given case the decision should rest not merely on theoretical abstract objections to contract labour but also on the terms and conditions on which contract labour is employed and grievance made by the employees in respect thereof. As in other matters of industrial adjudication so in the case of contract labour theoretical or academic considerations may be relevant but their importance should not be over estimated. In the case of Standard Vacuum Refining Co. of India Ltd. Vs. Workmen (1960-II-LJ SC 948-952) it was observed that the contract in the case related to four matters but the reference was confined to one only viz. cleaning maintenance work at the refinery including premises and plant. So far as this work is concerned, it is incidental to the manufacturing process and is necessary for it and of a perennial nature which must be done every day. Such work is generally done by workmen in regular employ of the employer and there should be no difficulty in having regular workmen for this kind of work. Matter would be different if the work was of intermittent or temporary nature or was so little that it would not be possible to employ full time workmen for the purpose. In these circumstances, it was held that the order of the Tribunal appears to be just and there are no good reason for interfering with it.

54. In the case of Shibu Metal Works Vs. Workmen (1966 (12) F.L.R. 226) it was observed that where the work was of permanent nature and part and parcel of the manufacturing process of the goods and labour engaged by the contractor was deprived of legal facilities enjoyed by other workers under the statute, the employment of contract labour was an unfair labour practice. As observed by the Royal Commission on Labour, if the management has to discharge complex responsibility laid upon it by law and equity it would have full control over the selection, hour of work and payment to workers.

55. While explaining the distinction between the contractor and employee in the case of Chintaman Rao Vs. State of M.P. (AIR 1958 SC p. 388) it has been observed that an employee unlike the contractor is under the control and supervision of the employer in respect of the details of work. The contractors, on the other hand, is required to do specific work for other persons without submitting himself to their control in respect of the details of work. The relation of master and servant and principal and agent may be said to be as thus :—

"A principal has a right to direct what work the agent has to do, but a master has further right to direct how the work has to be done.

(Lakshminarayan Ram Gopal Vs. Government of Hyderabad (AIR 1954 SC 264) Supreme Court Labour and Service Digest (1950—1978) p. 455 by Surendra Malik."

56. The Contract Labour (Regulation and Abolition) Act is a piece of social legislation for welfare of labourers and should be liberally construed (Lionel Edwards Ltd. Vs. Labour Enforcement Officer (1977 Lab. I.C. 1037 Calcutta).

57. While dealing with the question as to who is the employer in the case of Malhotra Enterprises Vs. State of U.P. (1978-II-LJ p. 65) it has been observed that where the management or the intermediary contractor is the employer—whether vinculum juris existed between the management and the workmen, it was held that in the Laissez Faire economy based on common law and the Contract Act, the position may be different but in the industrial branch of Third World Jurisprudence based on social justice, mere contracts are not decisive and a complex of considerations are relevant in deciding the real dispute (1978-II-LJ p. 397 SC) (Labour Law Journal Digest, Editors I.L.J. Madras. Vol. 9, 1976—82 p. 319).

58. In the case of Hussainbhai Calicut Vs. Alath Factory Vs. Alath Factory Thizhali Union and others (1978 SCC (I&S) p. 506) it has been observed as follows :—

"The true test is—

Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another than owner i.e. in fact the employer. He has economic control over the

workers' subsistence, skill, and continued employment. If he, for any reason, chokes off, the worker is, Virtually, laid off. The presence of intermediate contractors with whom alone the workers, have immediate or direct relationship ex contract is of no consequence when on lifting the veil or looking at the conspectus of factors governing employment, we discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the Management, not the immediate contractor. Myriad devices half-hidden in fold after fold of legal form depending on the degree of concealment needed, the type of industry, the local conditions and the like, may be resorted to when labour legislation casts welfare obligations on the real employer, based on Arts. 38, 39, 42, 43 and 43-A of the Constitution. The court must be astute to avoid mischief and achieve the purpose of the law and not misled by the maya of legal appearances.

If the livelihood of the workmen substantially depends on labour rendered to produce goods and services for the benefit and satisfaction of an enterprise, the absence of direct relationship or the presence of dubious intermediaries or the make-believe trappings of detachment from the Management cannot snap the real-life bond. The story may vary but the inference defies ingenuity. The liability cannot be shaken off.

Of course, if there is total dissociation in fact between the disowing management and the aggrieved workmen, the employment is, in substance and real-life terms, by another. The management's adventitious connections cannot ripen into real employment."

59. In the case of Western India Automobile Association Versus the Industrial Tribunal, Bombay and others (1949 Federal Court p. 111) their Lordship have gone out to say that the Tribunal can direct in the case of dismissal that an employee shall have a relationship of employment with the other party although one of them is unwilling to have such relationship.

60. The discretion which an Industrial Tribunal has must be exercised in accordance with the well recognised principle. There is undoubtedly a distinction between Commercial and Industrial Arbitration. As has been pointed out by Ludwig Teller Labour Dispute and Collective Bargaining Vol. 1 page 536, "Industrial arbitration may involve the extension of an existing agreement, or the making of a new one, or in general the creation of new obligations or modifications of old ones, while commercial arbitration generally concerns itself with interpretation of existing obligations and disputes relating to existing agreements." "A court of law proceeds on the footing that no power exists in the courts to make contracts for people; and the parties must make their own contracts. The courts reach their limit of power when they enforce contracts which the parties have made. An Industrial Tribunal is not so fettered and may create new obligations, or modify contracts in the interests of industrial peace, to protect legitimate trade union activities and to prevent unfair practice or victimisation. We cannot, however, accept the extreme position canvassed before us that an Industrial Tribunal can ignore altogether an existing agreement or existing obligations for no rhyme or reason whatsoever (Rohtas Industries Ltd. Vs. Brijnandan Pandey and others (1956-II-LIJ n. 444). This is a case where labourers were exploited by the management (as also by contractor, if any) though this Court has not held so had not only their names were not found in any of the statutory registers but also it was falsely averred by management that no such workers were working at the site for loading of trucks which is a work of perennial nature and was performed under the direct control of the management.

61. According to Mr. Justice Holmes, social justice is an "articulate major premise which is personal and individual to every court and every judge. Incensed by this victim, Bhagwati J. speaking for the Supreme Court in *Muir Mills*

Ltd. Vs. Suti Mill Mazdoor Union. (1955-I-LIJ p. 1(6) SC) said :-

"the concept of social justice does not emanate from the fanciful notions of any particular adjudicator but must be founded on a more solid foundation".

But in a later case the Supreme Court assigns a more positive role to the concept of social justice in industrial adjudication. Gajendragadkar J. persistently emphasised the social and economic justice is the ultimate ideal of industrial adjudication and that social and economic justice has been given a place of pride in our Constitution. In *Rai Bahadur Diwan Badridas Vs. Industrial Tribunal, Punjab* (1962-II-LIJ p. 366 (370) speaking for the majority he further emphasised that—

"the doctrine of the absolute freedom of contract has thus to yield to the higher claims for social justice—under the impact of the demand of social justice the doctrine of absolute freedom of contract has been regulated...."

In other words of Hidayat Ullah J. Social justice is not based on contractual relations and is not to be enforced on the principles of contract of service. It is something outside these principles, and is invoked to do justice without a contract to back it. (*Rashtriya Mills Mazdoor Sangh Vs. Apollo Mills Ltd.* (1960-II-LIJ (SC) p. 263 (271).

62. Industrial Jurisprudence is not static rigid or textually cold but dynamic burgeoning and warm with life. It answers in emphatic negative the biblical interrogation. What men is there of you whom if his son asks bread will give him a stone? The Industrial Tribunals of India in areas unoccupied by precise block letter law, go by the constitutional mandate of social justice in the claims of the "little people". It may be one thing to settle a dispute by the agreement which effects only the interest of the parties to the agreement; it is quite a different thing for this Court to lay down a rule which will have a wider application. It would, therefore, be of little significance that these little people could not advance their pleadings without vagueness and could not give all the data of their service. Suffice it to say that from the pleadings and evidence on record it is established that these little men were workers of the management and they had worked for more than one year with the management.

63. While dealing with the definition of "workmen" vis-a-vis 'contractors' employee or the employee of the principal employer in *Besti Sugar Mills Ltd. Vs. Ram Ujagar* (1963-II-LIJ 447 SC) it has been observed that the workers employed by a contractor to remove press-mud from the sugar factory were held to be "workmen" employed by the factory because removing press-mud was considered ordinarily to be a part of the sugar factory. Likewise, in *Saraspur Mills Co. Ltd. Versus Ramanlal Chimanlal* (1973-II-LIJ 130 132-133 SC) the workers of a canteen run by a cooperative society were held to be the workmen of the factory because the factory was under an obligation to maintain and run the canteen for its employees under the Factories Act and rules thereunder. In this regard, discussion at para 11 in the case of *All India Railway Institute Employees Association Vs. Union of India* (1990 S.C.C. Vol. 2. Part V page 542) is note worthy.

64. Various tests have been applied to find out the relationship of employer and employee. In the modern world industrial operations have become complex and complicated and for the efficient successful functioning of any industry several 'incidental' operations are called in aid and it is the totality of these operations that ultimately constitutes the industry as a whole. Proof of existence of relationship can be made out as fairly and fully by circumstantial evidence as it can be by evidence which is direct. While the employee at the time, when his services were engaged need not have known the identity of employer, there must have been some act or control by the parties recognised one and another as master and servant (See page 471 Malhotra, Vol. 1)

65. In order to determine the existence of relationship of independent contractor or employee "law problems" in the law have given greater variety than did ever arising on the borderline between what is clearly an employee-employee

relation and what is clearly an independent entrepreneurial dealing for "it is often easy to recognise a contract of service when you see it, but difficult to say where the difference lies". Problems of this kind have come before the courts with the advent of social legislation in England during the last ninety years and in India during the last fifty years. Consequently, a considerable body of case law has developed under the recent social welfare legislation. There has been extra-ordinary variety of relationships which have come in force at one time or another, and it is now clear that it is impossible to define a contract of service in the sense of stating a number of conditions which are both necessary to, and sufficient, for the existence of such a contract. This position has been succinctly stated in the American Jurisprudence. It is the element of control of the work that distinguishes the relationship of master and servant from the independent contract relationship. The most important test in determining whether one employed to do certain work is independent contractor or mere servant is the control over the work is reserved by the employer. Thus the most satisfactory test is to ascertain as to who is the employer at any particular time is to ask who is entitled to tell the employee the way in which he is to do the work upon which he is engaged.

66. In the words of Roskill, J. "control is obviously an important factor." "The control of the management, which is necessary element of the relationship of master and servant, is not directed towards providing or dictating the nature of the article to be produced or the work to be done but refers to the other incidents having a bearing on the process of work the person carries out in the execution of the work. The manner of work is to be distinguished from the type of work to be performed.

67. The distinction is also drawn between the "contract for service" and "contract of service." The distinction is in the one case the master can order or require what is to be done, while in the other case he can not only order or require what is to be done, but how it shall be done. In the words of Lord Denning "under the contract of service, a man is employed as a part of the business, and his work is done as an integral part of the business; whereas, under a contract for service, his work, although done for the business, is not integrated into it but is only accessory to it".

68. What in fact matters is lawful authority to command so far as there is scope for it. And there must always be some room for it if only in incidental or collateral matters. The question, therefore, is not whether the control is exercised; it is where is the right of control? and the distinction between the physical control and the right of control is important. The control includes the powers to decide the term, the way it will be done, the means employed in doing it, the time and place where it shall be done. All these aspects of control must be considered in deciding whether the rights exist in a sufficient degree to make one party a master and the other his servant. However, it has for long been apparent that analysis of the extent and the degree of such control is not in itself decisive. It is left to the courts of law to decide what the contract of employment or service is in the circumstances of each case.

69. Halsbury describes the test "to distinguish between an independent contractor and the servant, the test is whether the employer retains the power, not duly of directing what work is to be done, but also of controlling the manner of doing the work. If a person can be overlooked and directed in regard to the manner of doing his work, that person is not a 'contractor' (Halsbury's Laws of England, 3rd Edn. Vol. 25, p. 498) (See Malhotra, Vol. 1 pages 470 to 477).

70. In the instant case, the workmen concerned could enter into the quarry i.e. at the specified place at the time given by the principal employer for certain period and they had to pick up the coal under the supervision & control of management and load it in the trucks as directed by the principal employer. Thus the principal employer had full control, not only on the work but the manner of work, place of work and the time of work and obviously the work

is of perennial nature. Thus even assuming that these workmen were contractors workmen, they must be treated as workmen of the principal employer in the circumstances of this case and in the light of law discussed above.

71. Having noticed the entire spectrum of case law on the subject it has a caution to the employers that in view of the changing socio economic environment the legal position as regards the status of contract labours cannot be shepherdized and since the socio economic justice is, the signatures tune of the preamble of the Constitution, they would in time to come have to be conceived as full workmen of the establishment if prescribed formalities are lacking. The tone and temper of time shall also warrant this. The old theory of job of judges to confine to only interpreting the law not to make law has long been bundled of the stage like a broken tool. We should therefore be prepared to face the realities that would unfold on this front. The dice is over loaded against the employer. It may be a tragic scenario that stains the employers in face but in this vast changing society when the social justice is to be given to the poorer, this Court shall not sit to find itself to the mere contract, but shall create contract.

72. There is no evidence that there was any award of the National Tribunal, Calcutta which was bye-passed by the management. There is further no evidence that the management was prosecuted as pleaded.

73. One more question which was raised by the management was that the reference was vague inasmuch as it does not give the particulars as pleaded by it in para 7 of the written statement. In this regard, I have to say that the Government may not always specify the points upon which a reference is made; it may make a reference generally. In most cases, the order of reference is so cryptic that it is impossible to cull out therefrom the various points about which the parties were at variance, leading to the trouble. In such cases, of course, the Tribunal can ascertain the points of dispute from the pleadings of the parties the exact nature of the dispute and decide them. (Delhi Cloth and General Mills Co. Ltd. Vs. Their Workmen (1967-LLJ p. 423-431 SC). But the Tribunal has to confine itself to the pleadings and the issues arising therefrom and it is not open to it fly off at a tangent disregarding the pleadings and reach any conclusion that it thinks just and proper. Even the pleadings of the parties can be looked into only to clarify points of dispute set out in the order of reference; but cannot be allowed to alter the terms of reference or the basis of reference. Thus this argument has no force that the reference is vague and therefore cannot be entertained by this Court. I accordingly record my findings as follows :—

The workman, Ramjanam and 300 others named in the Scheduled to the order of reference were the employees of the Western Coalfields Lt. in Pench Area, Parasia as alleged. Even assuming that they were the contractors employees they would be deemed to be the employees of the management, the principal employer, in view of the above discussions.

74 Issue No. 1(B), (C) and Issue No. 2.—Having held that the workmen under reference were employees of the Western Coalfields Limited in the Pench Area, Parasia, District Chhindwara and they being no more in service it follows that either their services were stopped due to the closure of the mines/quarry for three months or were terminated by the management. It is obvious that the management did not provide them work rather refused to provide them work else they would not have come before this Tribunal for adjudication in the matter.

75. From the statement of W.W.S. P. K. Baneriet, para 17, it is evident that large number of persons were employed thereafter and this fact is evident from the documents Ex. W/28 to Ex. W/35. As per Ex. W/27 the then Chairman, Shri Taxaman, had entered into an agreement on 17-7-85 agreeing to give employment to all casuals. As per Ex. W/28 it was directed that casuals are not required to get their names sponsored through the Employment Exchange. As per Ex. W/29 dated 2-1-79, the R.C.C. (Central) had drawn the attention of C.L.C. (Central) showing the irregularities being committed to sizeable number of workers in different Collieries. As per Ex.

W/37 the case of three 301 workers was to be considered by the Deputy Chief Personnel Manager and this fact finds place in P.x. W/27 also. Western Coalfields Limited is a vast concern and is not confined to Pench area collieries alone, but at different other places in M.P. and Vidharbha Region of Maharashtra. Thus there is clear violation of Section 25-H or in any case of Section 25-FFF and 25-FF because the said quarry was closed down without any notice to these workmen or giving them compensation as envisaged in Section 25-FFA and Section 25-FFF, for these workmen had already worked for more than one year. In any case these workmen concerned should have been offered work first before employing others. As per Section 25-H of I. D. Act which reads as under, they are entitled to the same :—

"25-H—Re-employment of retrenched workmen.—Where any workmen are retrenched, and the employer proposes to take into his employ any persons, he shall, in such manner as may be prescribed, give an opportunity "to the retrenched workmen who are citizens of India to offer themselves for re-employment and such retrenched workmen" who offer themselves for re-employment shall have preference over other persons."

In view of the accepted policy of the management these workmen should have been given work. This was not done. Thus they are entitled to be employed as truck loaders or in any other capacity equivalent to the same either in the Pench Valley area or other area under the Western Coalfields Limited. In this view of the matter, Central Government is, obviously, appropriate Government to make this reference.

76. Now the question arises as to and since what date, they should be reinstated or employed. I am of the opinion that they should be reinstated or employed from the date of reopening of the quarry i.e. 21-6-1980 with all the consequential benefits, and they shall be entitled to back wages from that date. The management is directed that their cases should be considered for regularisation in accordance with law and procedure.

77. My findings are, therefore, recorded as follows :—

1. These 301 workmen, named in the Schedule to order of reference, were stopped from work or terminated by the management of Western Coalfields Limited and further they refused to provide work to them.
 2. They are entitled to the employment/reinstatement with effect from the reopening of the quarry on 21-6-1980 with all consequential benefits and back wages.
 3. Their cases should be considered for regularisation in accordance with law and procedure.
78. Part I of the reference is, therefore, answered as follows :—

The refusal of the management of the Pench East Colliery of W.C. Ltd. in Pench Area, P.O. Parsia, District Chhindwara, to provide work to Shri Ramjanam and 300 others truck loaders whose names are given in the Annexure to the Schedule of reference, at their Dighawani Quarry and to regularise them is not lawful and proper. They are entitled to be employed as truck loaders or in the similar capacity, as the case may be, from the date of re-opening of the Quarry i.e. 21-6-1980 with back wages and all consequential relief, with Rs. 5000.00 as costs.

So far part II and III of the reference are concerned, no dispute award is passed. The reference is answered accordingly.

V. N. SHUKLA, Presiding Officer
[No. I-22011(10)/82-D.IV (B)]

का. आ. 2098.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बन्सरा (एन) कोल्लरी आफ मै. ई. मी.

एल.के. एन्वयमेंटमेंट, एल.के. निर्यातों और उनके कर्मचारियों के बीच अनुबंध में निर्धारित औद्योगिक विवाद में कोल्लरी सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट का कार्रवाई करनी है, जो केन्द्रीय सरकार का 10-7-90 को प्राप्त हुआ था।

S.O. 2098.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Assansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bansra (N) Colliery of M/s. E.C. Limited and their workmen, which was received by the Central Government on 10-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 37/88

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Bansra (N) Colliery of M/s. E.C. Ltd., P.O. Ranigunj (Burdwan).

AND

Their Workmen.

APPEARANCES :

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri C. D. Dwevedi, Advocate.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 29th June, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute to the Central Government Industrial Tribunal, Calcutta for adjudication vide Ministry's Order No. L-19012(9)/84-D.IV (B) dated 10-8-84. Subsequently the case record was transferred to this Tribunal for adjudication vide Ministry's Order No. S-11025/5/87-D.IV (B) dated the 29th March, 1988.

SCHEDULE

"Whether the action of the management of Bansra (N) Colliery of M/s. E.C.L., P.O. Ranigunj Dist. Burdwan (W.B.) in not regularising their workman Sri Ranjit Singh, as a Dumper Supervisor from January, 1980, is justified? If not, to what relief the workman is entitled to?"

2. On 27-3-90 Sri C. D. Dwevedi learned Advocate on behalf of the union filed a petition stating that the union is no longer interested to pursue the instant matter. The union has also prayed for passing no dispute award in this case. Sri P. K. Das, learned Advocate for the management was also present.

3. In the circumstances, this Court has no other alternative but to pass a no dispute award in this case. Accordingly a 'no dispute' award is passed.

4. After passing of the order dated 27-3-90 the record was misplaced and the same has been traced out to day. Hence the delay in passing the award.

N. K. SAHA, Presiding Officer
[No. S-11025/5/87-D.IV (B)]

नई दिल्ली, 12 जुलाई, 1990

का. आ. 2099.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में

केन्द्रीय सरकार कूट वास्तुविशेष आक वणिज्या (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबन्ध निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के संघर्ष को प्रकाशित करता है, जो केन्द्रीय सरकार को 11 जुलाई 1990 को प्राप्त हुआ था।

New Delhi, the 12th July, 1990

S.O. 2099.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on 11-7-1990.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT : Sri K. Taranadh, B.Com B.L.,
Industrial Tribunal.

Dated : 21st June, 1990

INDUSTRIAL DISPUTE NO. 91 OF 1988

BETWEEN :

The Workmen of Food Corporation of India,
(Port Operation),
Visakhapatnam (A. P.)

AND

The Management of Food Corporation of India,
(Port Operation),
Visakhapatnam (A. P.)

APPEARANCES :

None for the Workmen.
Sri K. Satyanarayana Rao, Advocate for the
Management.

AWARD

The Government of India, Ministry of Labour by its Order No. L-42012/121/87-D.II.B/D.IV(B) dated 12-9-88 referred the following dispute under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Food Corporation of India (Port Operations), Visakhapatnam and their workmen to this Tribunal for adjudication :—

“Whether the action of the management of Food Corporation of India, (Port Operations), Visakhapatnam in awarding punishment to Sri G. Somayya, Watchman, Additional New Godowns, Food Corporation of India, Visakhapatnam in with-holding of increment for one year without cumulative effect and to treat the period of suspension from 10-10-83 to 31-12-1983 as a period spent on non-duty without conducting proper domestic enquiry etc., is justified? If not, to what relief the said workman is entitled?”

This reference was registered as Industrial Dispute No. 91 of 1988 and notices were issued to the parties.

2. A perusal of the record indicates that the Petitioner filed a claim statement along with enclosure, alleging that he made several representations and no theft took place while he was on duty and the punishment imposed namely with-holding of one increment for one year without cumulative effect and treating his period of suspension as a period spent on non-duty is not justified.

3. A counter was filed by the Management contending that the Petitioner was the Watchman for Godowns 5 and 6 and while he was on duty, a theft took place from his Godown No. 5 and five bags of DAP weighing 50 kgs. were stolen and this occurred due to slackness and negligence on the part of the Petitioner and hence he was placed under suspension after due enquiry, disciplinary action was taken and requested that a nil award may be passed.

4. A perusal of the record further indicates that the worker was set ex parte as early as 4-8-1989 as he was not evincing any interest and nobody was coming on record. On behalf of the Management, one witness was examined namely the Assistant Manager of Food Corporation of India (Port Operations) as M.W1. He deposed that on that night the Petitioner Somayya was on duty as Watchman and from his godown a theft of 5 Urea bags of DAP was committed and one A.S.O. gave a complaint to that effect on 8-9-1983 as per Ex. M1, and the Watchman Somayya by himself did not report though it occurred on 6-9-1983. A charge sheet was issued by December 1983 (Ex. M2) and the explanation was received (Ex. M3) and he was suspended on 30th October 1983. A minor penalty withholding an increment for one year without cumulative effect was proposed to be imposed and hence no enquiry need be conducted as the order of punishment is Ex. M4 which is as per Regulation 66(6) of the F.C.I. (Staff Regulations) of 1971 and hence it is requested that the Managements action may be upheld.

5. It is clear from the evidence that though theft took place on 5-9-1983 and evidently he must be aware of it but still the petitioner did not choose to report it at all, only on 8-9-1983 some other gentleman gave a report Ex. M1.

6. In view of all these things, there is no injustice caused to the Watchman at all and infact he was not removed from service and a minor punishment only was imposed which is justifiable under the circumstances.

7. Hence an Award passed upholding the action of the Management.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 21st day of June, 1990.

K. TARANADH, Industrial Tribunal
[No. L-42012/121/87-D.II(B)/D.IV(B)]

APPENDIX OF EVIDENCE

Witnesses Examined for the Workmen :
 NIL
 Documents marked for the Workmen:
 NIL

Witnesses Examined for the Management :
 (1) M.W1 I. N. Murthy
 Documents marked for the Management :
 NIL

Documents marked for the Management :

Ex. M1 Photostat copy of the complaint dated 8th September 1983 of Security Officer, additional New Godown Food Corporation of India, Visakhapatnam to the Asstt. Manager (Depot) additional New Godowns, Visakhapatnam against G. Somayya.

Ex. M2 Charge Sheet dt. 30-12-83 along with statement of the imputations of Mis-conduct or mis-behavior on which action is proposed to be taken is issued to G. Somayya by the Joint Manager (PO) Food Corporation of India, Port Operations Regional, Visakhapatnam.

Ex. M3 Explanation dt. 31-12-1983 to the charge sheet submitted by G. Somayya to the Joint Manager (Port Operation), Food Corporation of India, Visakhapatnam-I.

Ex. M4 Order dt. 29-11-83 under Sub-Regulation 6 of Regulation 66 of the F.C.I. (Staff) Regulations, 1971, issued to G. Somayya, by the Joint Manager (PO), Food Corporation of India, Port Operations Region, Visakhapatnam.

K. TARANADH, Industrial Tribunal

नई दिल्ली, 13 जुलाई, 1990

का. आ. 2100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी लिमिटेड, कोठागुडम कार्बोरीस, के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11 जुलाई 1990 को प्राप्त हुआ था।

New Delhi, the 13th July, 1990

S.O. 2100.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S. C. Co. Lt. Kothagudem Collieries and their workmen, which was received by the Central Government on 11-7-90.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri K. Taravath, B.Com., B.L., Industrial Tribunal.

Dated, 21st June, 1990

INDUSTRIAL DISPUTE NO. 72 OF 1987

1941GI/90—11

BETWEEN

The Workmen represented by Singareni, Collieries Trammers and Munshies Association, Godavarikhani, Karimnagar District.

AND

The Management of S. C. Co. Ltd., P. O. Kothagudem Collieries, Khammam District.

APPEARANCES

Sarvasri V. Venkata Ramana and V. Srinivas, Advocates for the Workmen.

M/s. K. Srinivasa Murthy, G. Sudha and A. Visalakshmi, Advocates for the Management.

AWARD

The Government of India, Ministry of Labour by its Order No. L-22011/105/82-D.III(B), dated 22-12-1987 referred the following dispute under Section 10(1) (d) & (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the Management of Singareni Collieries Company Limited and their workmen to this Tribunal for adjudication :

"Whether the following demands of the Singareni Collieries Trammers and Munshies Association are justified ? If so, what relief the workmen concerned are entitled to ?

(i) Giving of clerical grade III to Trammers who assist Munshies.

(ii) Posting of six Trammers on every Mine's surface.

(iii) Payment of charge allowance or Overtime allowance to Trammers and Munshies who are giving and taking charges."

This reference was registered as Industrial Dispute No. 72 of 1987 and notices were issued to the parties.

2. A perusal of the record indicates that claim statement was filed alleging that the Management has introduced 56.25Cft. Tubs in 1976 in place of 45Cft. tubs as a result of which the workload of the Trammers was considerably increased and production enhanced and the Trammers who are assisting Munshies who were given two increments should be placed in Grade III clerical cadre and as Trammers and Munshies are giving and taking charge and working beyond the shift hours, they also must be compensated etc.

3. A counter was filed on behalf of the Management contending that the General Secretary of Trammers and Munshies Association, issued a strike notice on 18th August, 1982 over a charter of 12 demands, they organised a major strike from 21st November, 1982 onwards, the Government of India informed that the matter is being referred for adjudication and I.D. No. 16/83 is still pending. Subsequently the Association filed a Writ Petition No. 3064 of 1983 in the High Court and the High Court by its order dt. 19-10-1987, directed the Central Government to refer the other demands and thus the other demands are referred. The Trammers and Munshies Association in the draft memo and unilateral decisions taken

by the Management on such policy matters will have serious repercussion all over the Coal Fields of the country. In Singareni Collieries all Trammers are in Category IV and the earlier designation of Trammings Muccadam was abolished in 1967. In the Memorandum of settlement dated 18-9-1978 it was agreed that the Trammers who are required to render account will be allowed two extra increments as personal pay but they cannot be placed in Clerical Grade III which were meant for Munshies. As per the information obtained from the Coal India Limited most of the Munshies are in Clerical Grade III and Trammers who give report of the tubs cannot be equated to Munshies. It may also be stated that since two increments were granted under the Memorandum of Settlement dt. 18th September, 1978 were personal, again another Settlement was arrived at on 21-11-1986 in super-session/modification of all previous agreements and the said Settlement is in force and binding on the Trammers and they cannot give a go-bye to the said Settlement. Hence there is no justification for the demands. The effect of the demand is creation of new categories. There cannot be demand for the creation of new categories or wholesale promotions, which will have an adverse effect on the financial position of the Company. Scales are fixed on All India basis, and even as per the Wage Scale which are in force, the Company is incurring huge loss and the Company is already in the RED and that position would be worse if these things are considered. Trammers on bankheads were formerly called Bank Mazdoors. On implementation of the Wage Board, they were placed in Category III, on implementation of the Raghunath Reddy's Award, they were placed in Category IV and by this they obtained Category higher than their counter-parts in Bengal and Bihar. All the four Trammers including the members who report the number of tubs will have to work altogether as a Team. The Munshies and Trammers are not entitled for any charge allowance and no such practice exists in Coal India Limited and they cannot be compared with Mining Staff, and the charge allowance is not applicable to any other categories of workers and requested that the request may be rejected.

4. A perusal of the record indicates that inspite of number of chances being given, the petitioners were not getting ready. As the workers were set-aparte, two witnesses were examined for the Management. M.W1 is the Additional Chief Industrial Engineer. He deposed that they used to carry out work study for determining the workload and some Trade Unions raised a dispute with regard to giving Category V wages to Trammers and the Trammers and Munshies Association is not a recognised Union. He also deposed that the targets are fixed having regard to the Mine resources the capacity of the equipment installed and the major of the job is described by the Wage Board etc. Then he went on describing the procedure to be resorted to by the Trammers and Munshies.

5. M.W2 is one B. Mukunda Reddy who is an Agent in G.D.K. No. 1 Incline and who is in the Singareni Collieries since 1972. He filed Ex. M6

to describe the job description of the Trammers and also filed a lay-out Ex. M7. He described how the four persons work as Trammers on the surface and there cannot be place for six persons on the surface instead of four. While the first Trammer applies sprag to the coal tub, the fourth trammer will couple the tubs and apply grease, if the mechanical grease are not provided and for this job six persons cannot be employed. He also filed the Overman report and also described how counter checked by the Trammers and munshies on one side and by the Coal Fillers on the other side etc. He also deposed that Munshies are in Category IV and Trammers also are in Category IV in the Singareni Collieries. While in other coal fields, Munshies are in Grade II. He also explains how the job description would normally co relate to the categories given by J.B.C.C. and N.C.W.A. He also deposed that Trammers can work liesurely as each cycle of tubs take 20 minutes to come up while tippling of the tubs will take less than 10 minutes, and Trammers cannot become a Clerk as he is illiterate and they got different channel of promotions and they are underground mine workers.

6. Thus it is evident, especially after going through the evidence of M.W1 and M.W2 and it can also be stated that the demand of the S.C. Trammers and Munshies Association are not at all justified and an Award is passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 21st day of June, 1990.

K. TARANADH, Industrial Tribunal.
[No. L-22011/105/82-D.III(B)]
RAJA LAL, Desk Officer.

APPENDIX OF EVIDENCE

Witnesses Examined for the Workmen : Nil.

Witnesses Examined for the Management :

(1) M.W1 B. V. Narayana Raju.

(2) M.W2 B. Mukunda Reddy

Documents marked for the Workmen :

NIL

Documents marked for the Management :

Ex. M1 Copy of the Surface-Tippler operation.

Ex. M2 Copy of the Statement showing the production target achieved for the month of December 1987 & 1989.

Ex. M3 Copy of the details of Man-power of Trammers and Munshies as on December, 1987 and December, 1989.

Ex. M4 Men on roll statements of all Mines of S.C. Co. Ltd., for the year 1987.

Ex. M5 Men on roll statements of Mines of S.C. Co. Ltd., for the year 1989.

Ex. M6 Copy of the job description of Trammers as per central wage board and standardisation committee.

Ex. M7 Surface Bunker plan of G.D.K.-6B, GDK-5A, GDK-5A, GDK-3, GDK2A and G.D.K. 11A Incline Mines.

Ex. M8 Copy of Overman's report dt. 30-5-90 of G.D.K. 11A Incline Ist Shift, C-Relay.

Ex. M9 Photostat copy of the latter dt. 22-5-84 addressed to the Chief Personnel Officer, S.C. Co. Ltd., Kothagudem Collieries by the Personnel Manager, Central Coalfields Limited with regard to Big Size Coal tubs in Central Coal fields Limited.

Ex. M10 Copy of the details of derailment of Tubes in the Mines during the months of December, 1987 and December, 1989.

Ex. M11 Photostat of the Memorandum of Settlement arrived at U/S. 12(3) of the I.D. Act, 1947 on 28-9-1978 at Kothagudem in the Industrial Disputes between the Management of S.C. Co. Ltd., and their workmen represented by (1) S.C. Workers Union and (2) Tandur Coal Mines Labour Union over a charter of demands.

Ex. M12 Copy of the Memorandum of Settlement dt. 2-11-1986 U/S. 12(3) of the I.D. Act between S.C. Co. Ltd., Kothagudem and their workmen represented by S.C.W.W (A.I.T.U.C.) in the matter of I.D. Strike Notice dt. 6-10-86 and 8-11-86.

K. TARANADH, Industrial Tribunal.

नई दिल्ली, 9 जुलाई, 1990

का. आ. 2101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण रेलवे, पालघाट डिवाइजन के प्रबंधन से संबंधित नियोक्तों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में लेबर कोर्ट कांजीकुड के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-90 को प्राप्त हुआ था।

New Delhi, the 9th July, 1990

S.O. 2101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court Kozhikode as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway, Palghat Division and their workmen, which was received by the Central Government on 5-7-90.

ANNEXURE

IN THE LABOUR COURT, KOZHICODE, KERALA STATE

Dated this the 23rd day of June., 1990

PRESENT :

Shri K. G. Gopalakrishnan, B.A., B.L., Presiding Officer,
Common Award in I.D. (C) 9/89, 1/90 & 2/90

I.D. (C) 9/89

BETWEEN

K. P. Appukuttan, S/o Chemban, Kannamparambu,
Chunduvallathur, Shoranur. ...Workman

AND

The Divisional Railway Manager, Southern Railway,
Palghat Division. ...Management

I.D. (C) 1/90

BETWEEN

V. A. Mustapha, S/o Abdulkhader, Vattaparambil
House, Post Cheruthuruthy, Trichur District.
...Workman

AND

The Divisional Railway Manager, Southern Railway,
Palghat Division. ...Management

I.D. (C) 2/90

BETWEEN

Salaivanan, S/o Angamuthu, Kamalammal Lano., Mari-
amman Kovil Street, Ganesgiri, Shoranur-3.
...Workman

AND

The Divisional Railway Manager, Southern Railway,
Palghat Division. ...Management

REPRESENTATIONS :—

Sri P. P. Balan, Advocate, Calicut.—For Workman.
Sri K. V. Sachidanandan, Advocate Calicut.—For Man-
agement.

COMMON AWARD

These 3 references by the Central Government under Section 10(1)(d) of the Industrial Disputes Act are tried together and are disposed of by this common award since one party to the reference in all these three references being the Railways and the point to be decided in all the three being one and the same.

2. I. D. (C) 9/89.—This dispute is referred as per the Government Order No. L-41012/50/88-D.II (B) dated 29-3-1989 and the issue referred for adjudication is whether the workman involved in this reference viz. K. Appukuttan is a workman of the Railways and if so whether the Southern Railway is right in terminating his service.

3. I. D. (C) 1/90.—This dispute is referred for adjudication by the Government Order No. L-41012/47/88-D.II(B) dated 4-5-1989 and the issue referred for adjudication is whether the Southern Railway is right in terminating the service of the workman involved in this reference viz., V. A. Mustapha.

4. I.D. (C) 2/90.—This dispute is referred for adjudication by the Government by the Order No. L-41012/48/88-D.II(B) dated 2-5-1989 and the issue referred for adjudication is whether the Southern Railway is right in terminating the service of the worker involved in this reference viz., Kalaivanan.

5. On receipt of these reference orders in this court notices were issued to the Railways as well as to these three workmen and they entered appearance through counsels and filed statement.

6. The following are the gist of the averments in the statements filed by these three workmen. Those three workmen were employed in Shernur Junction in its parcel unit as Porters for loading and unloading parcels from the trains and for its transshipments in other trains on piece rate basis. The workmen are paid wages at the rate of Rs. 5 per metric ton. Thus those three workmen have worked continuously for more than 240 days under the Railways. Therefore those workmen are regular employees under the Railways. But however in November 1987 all those workmen were terminated by the Railways stating that the service is no longer required. This action of the Railways is illegal and unjust since those workmen being regular employees of the Railways who have worked for more than 240 days continuously under the Railways, they can be terminated only after complying with the mandatory provisions contained in Section 25F of the Industrial Disputes Act viz., payment of one months salary and retrenchment compensation. As this has not been done this action of the Railways is illegal. Further the Railway has no right to terminate the service of these three workmen since under the Railway Establishment Manual

if a worker has worked continuously for 120 days he should be given the status of a temporary Railway employee and he should be paid salary as per the GPC Scale. Hence on this ground also the action of the Railways in termination of the service of these three workmen is illegal. Hence an award may be passed setting aside this order of termination passed by the Railways and directing the Railways to re-engage these three workmen with backwages.

7. The contentions of the Railways in the statement filed by them in Court are as follows.—These 3 workmen are not employees employed under the Railways nor have they worked continuously for more than 240 days in the parcel section of the Shornur Junction Railway Station as alleged by them in their statements. It is true that these 3 workmen have worked in the parcel unit attached to the Shornur Junction for loading and unloading the parcels arriving at the station by goods trains as well as by passenger trains. But that employment is not by virtue of any appointment made by the Railways nor by an agreement between the Railways since they worked as such only as casual labourers. The reason being some times there will be huge increase in incoming parcels in the Shornur Junction which cannot be unloaded by the Railway Licence Porters appointed for this purpose and on such occasions the Railway used to avail of the service of these workmen as casuals on the agreement that they will be paid wages at the rate of Rs. 5 per ton. Thus when these workmen are working on that arrangement the Railway has absolutely no control over them nor are the workmen bound to attend for duty when called for and it is up to them to come and handle the parcels when called by the Railways. Thus there is no employer-employee relationship between the Railways and these three workmen. Therefore those persons are not workmen employed under Railways and as such there is no question of Railway terminating their service. Now a days those people are not called as this work is done by the Railway Porters themselves.

8. This being the position the Railway is not bound to give them retrenchment compensation or notice pay much less the temporary status. Hence an award may be passed ratifying the action of the Railways.

9. On those pleadings the following points are formulated for decision:—

- (1) Whether the workmen involved in these three references are workmen under the Railways as defined in the Industrial Disputes Act?
- (2) Whether the termination of service of these three workmen is valid and law?
- (3) To what relief if any of these three workmen are entitled?
- (4) Result?

10. Evidence is recorded in I.D. (C) 9/89 and the evidence consists of the oral testimony of MW1 and WW1 and the documents marked as Exts. M1 to M16.

11. Point No. 1.—Though the issue referred for adjudication in all these three references is the justifiability or otherwise of the termination of service of the three workmen involved in these references by the Railways, the whole fate of these three references solely depends on the answer to this point viz., whether those workmen are employees of the Railways. Or to put it differently the justifiability of the action of the Railways in dispensing the service of this workmen arises for judicial scrutiny only if they are employees under the Railways as alleged by them.

12. Now the case of the workmen is that they are regular workers under the Railways and they have worked continuously for more than 240 days. As against this the contention of the Railways is that they are not employees under the Railways and they are only casuals who have worked on certain occasions on piece rate wages basis when they were called by the Railways to handle parcels.

13. To resolve a controversy of this nature, first of all the definition of the workmen in the Industrial Disputes Act will have to be looked into. The relevant portion of Section 2(s) of the Industrial Disputes Act defines workman as any

person employed in an industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be expressed or implied. Just a reading of this definition will make it clear that if become a workman as defined in Industrial Disputes Act the person must be employed in an industry. It is not disputed or rather cannot be disputed that the Indian Railways is an industry as defined in Industrial Disputes Act. So the crux of question is only whether these workmen are really employed in the Railways. A person can be employed under another only if there is an employer-employee relationship or master and servant relationship between the two. Or in other words the employer should have some sort of control over the employee in discharging his duties. Or to be more precise even if there is no agreement or written order appointing a particular person to do a particular job under another if the person under whom the said person is working has no control or supervision over the functioning of that person it can be said that he is employed under that person.

14. Now let me see whether there is employer-employee relationship between those workmen and the Railways. To consider this aspect, this evidence and pleadings in this case will have to be analysed in detail. As stated earlier, the case of the workmen is that they are regular employees under the Railways and that they worked for more than 240 days. This has been spoken to by the workman in I.D. (C) 9/89 who tendered oral evidence as WW1 for himself and on behalf of the other two workmen involved in the other two references. He further deposed that they were employed who handle the incoming parcels and it is their duty to unload these parcels and tranship them in other trains. But however in cross-examination he has fairly conceded that they will have work only if there is arrival of parcels and if there is no parcel arrival in Shornur Junction they will have no work and on such days they do not have to go to the station at all. This is exactly the case of the Railways also. The Chief Commercial Inspector of the Palghat Division has deposed as MW-1 that these workmen are more casuals and they are called to attend the loading and unloading of parcels only when there is increase in incoming parcels. Or in other words according to MW-1 the service of these workmen are availed of by the Railways only when the licence Porters engaged by the Railways to unload the parcels could not attend all the parcels arrived at the Shornur Station. He further deposed that these people are paid not from the funds of the Railways but from the daily collection of the Shornur Junction at the rate of Rs. 5 per ton. He further deposed that the Railway has absolutely no control over these people and the Railway cannot insist them to attend duty and the only agreement is that if they attend the loading and unloading of parcels when called by the Railways, they will be paid at the rate of Rs. 5 per ton.

14. This is the gist of the evidence tendered by both parties. Now on scanning those evidences it is obvious that those three workmen, although they worked in the parcel section for days together, the Railways have no control over them since they are not duty bound to attend for work whenever they are called and even on days when they have reported for work they are not expected to work till a particular time as their employment being dependent on arrivals of parcels in Shornur Junction. Now the counsel for the workmen referred to a Division Bench decision of the Kerala High Court reported in 1977-KLT-688 in which it was held by the High Court that loading and unloading, even if it is not of a permanent nature as it depends upon the availability of goods, that by itself is not a ground to hold that the workman is not workman as defined in the Industrial Disputes Act. But in my opinion this decision has no application in this case since this decision lays down only a general proposition of law that loading and unloading work need not necessarily be of a casual nature always and the employees employed in such work can as well as a workman. Even if the aforesaid dictum is applied in this case still I do not think that the position will improve much because admittedly in this case those workmen are not duty bound to attend for work everyday as reporting for duty being purely left to their discretion. In this connection the counsel for the Railways drew my attention to an order passed by the Central Administrative Tribunal, Madras in I.A. 77/87 and I.A. 181/87

wherein an identical position came up for consideration before the Tribunal. In that case also the workman involved were engaged for loading and unloading parcels in the parcel unit attached to Palghat Junction like those workers, and the question that came up for consideration before the Tribunal was whether they are workmen under the Railways as defined in the Industrial Disputes Act. There it was held by the Tribunal that they are not workmen under the Railways as the Railways have absolutely no control over them since the Railway cannot insist them to attend for duty everyday and presenting themselves for duty being left to their discretion. In my opinion the aforesaid dictum laid down by the Central Administrative Tribunal aptly applies to the facts of this case, since is mentioned earlier, here also these workmen are not bound to attend for duty when they are called for by the Railways and even if they attend for duty they can go at any time as they have no fixed roster. Hence from the evidence tendered in this case it can only be held that the Railways have no control or superintendence over those workers which is absolutely necessary for holding that they are employed under the Railways. It is therefore held that these workmen are not employed in the Railways and as such they cannot be termed as a workman under the Railways as envisaged in the Industrial Disputes Act. This point is thus decided against the workmen holding that they are not workmen under the Railways.

15. Point No. 2 :—In view of my finding on Point No. 1 that these workmen are not workmen under the Railways, the Railway is at liberty to dispense with their service at any time in any manner they like and the said action of the Railways cannot be called in question on any ground.

16. Point No. 3.—In view of my findings on Points 1 and 2 ratifying the action of the Railways it is held that the workmen are not entitled to any relief against the Railways.

17. Point No. 4.—In the result a common award is passed in all these three references holding that as these three workmen in these three reference are not workmen under the Railways the Railway has every right to dispense with their service at any time in any manner they like and the said action of the Railways cannot be called in question on any ground and as such these three workmen are not entitled to any relief.

18. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 23rd day of June, 1990.

K. G. GOPALAKRISHNAN, Presiding Officer
[No. L-41012/50/88-D.II(B)(Pt.)]

APPENDIX

Witnesses examined on the side of the Management:—

MW-1—M. Chandran.

Documents marked on the side of the Management:—

Ext. M1—E.L.R. Weight particulars from 1-3-1986 to 10-3-1986.

Ext. M2—E.L.R. from 25-10-1987 to 31-12-1987.

Ext. M3—Extra Labour Weight book from 25-7-1985 to 28-2-1986

Ext. M4—E.L.R. Weight particulars from 9-3-1986 to 22-9-1986.

Ext. M5— —do— 24-9-1986 to 12-3-1987

Ext. M6—Weight book from 14-3-1987 to 25-10-1987.

Ext. M7—Extra Labour bill from 6-2-1983 to 5-1-1984.

Ext. M8—Extra Labour Bill from 12-1-1984 to 2-5-1984.

Ext. M9—Extra Labour Bill from 10-5-1984 to 23-10-84.

Ext. M-10— —do— 28-10-1984 to 5-5-1985.

Ext. M-11—Extra Labour Bill from 13-5-1985 to 25-7-1985.

Ext. M-12— —do— 27-7-1985 to 15-10-1985

Ext. M13—Payment of vouchers from 21-10-1985 to 6-7-1986.

Ext. M14—Extra Labour Bill Book from 13-7-1986 to 24-1-1987.

Ext. M15—F.L.R. Bill book from 31-1-1987 to 15-8-1987.

Ext. M16—Payment vouchers from 22-8-1987 to 12-12-87.

Witnesses examined on the side of the Workman:—

WW1—Appukuttan.

Documents marked on the side of the Workman—NIL

K. G. GOPALAKRISHNAN, Presiding Officer

नई दिल्ली, 10 जुलाई, 1990

का.प्रा. 2102.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार दक्षिण रेलवे के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनन्त में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलोर, के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 6-7-90 को प्राप्त हुआ था।

New Delhi, the 10th July, 1990

S.O. 2102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway and their workmen, which was received by the Central Government on 6-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR
COURT AT BANGLORE

Dated the 29th June, 1990

PRESENT

Shri M. B. Vishwanath, B.Sc.B.L.—Presiding Officer.

CENTRAL REFERENCE NO. 22/88

I PARTY

Shri N. Rajendran S/o Shri Natarajan, 'N' Block,
Rajajinagar, Bangalore—560010.

Vs.

II PARTY

The Divisional Manager, Southern Railway,
Bangalore City Railway Station, Bangalore
City.

APPEARANCES

For the I Party—No Representation.

For the II Party—Shri J. Nagaraj.

AWARD

The Hon'ble Central Government by its order No. L-41012/33/86-D.II(B) dated 12-5-1988 in view of the powers conferred by Section 10(1)(d) under the I.D. Act 1947, has referred the following dispute for adjudication by this Tribunal :

Point of Dispute

"Whether the management of Southern Railway is justified in terminating the services of Shri M. Rajendran w.e.f. 16-5-84 ? If not, to what relief the workman is entitled to ?"

2. This case has been registered in June 1988. The Tribunal has taken all steps to issue notice to the I party informing him of the reference. Though notices have been issued many times, it has not been possible for this Tribunal to contact the I party. Let me repeat. The Tribunal has taken all possible steps to inform the I party about this reference. It has not been possible to get the notice served on him since his address appears to be not known. The conciliation file also is before this court. For the address in the conciliation file also notice was issued by post. Even then it has not been served on the I party. One notice has been returned with endorsement "insufficient address", second notice has been returned with endorsement "insufficient address—addressee not known", the third notice issued has been returned with endorsement "insufficient address, not known". The Tribunal had written the address which was available on record and in the conciliation file. But the notice has not been served on the I party. It should be taken that the I party is not interested in this particular reference.

3. The learned counsel for the II party has submitted before the Tribunal that the matter relating to the present I party is already pending in C.R. 107/87. I secured the file in C.R. 107/87. In C.R. 107/87 the reference by the Hon'ble Central Government is :—

"Whether the management of Southern Railway is justified in terminating the services of Shri R. Rajendran w.e.f. 16-5-84 ? If not, to what relief the workman is entitled ?"

4. In the reference in CR 22/88, the initials have been written in ink. From the address of the I party in the conciliation file and other papers and in CR 107/87 it is clear that Rajendran in CR 22/88 is the same person as referred to in CR 107/87. When a reference is already pending, a second reference does not lie in respect of the same matter. I have stated same matter because the name Rajendran is same, the date of termination is same and father's name is same.

5. For the aforesaid reasons this reference is rejected. Award passed accordingly.

(Dictated to the Stenographer, taken down by her, got typed and corrected by me.)

M. B. VISHWANATH, Presiding Officer

[No. L-41012/33/86-D.II(B) (Pt.)]

K. V. B. UNNY, Desk Officer

नई दिल्ली, 9 जुलाई, 1990

का.आ 2103.—औद्योगिक विवाद अधिनियम, 1947 (1947 क 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्ड माइन्स लि. के. जी. एफ. के प्रबन्ध-तंत्र के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलोर के पंचाट का प्रकाशित करती है जो केन्द्रीय सरकार को 6-7-90 का प्राप्त हुआ था।

New Delhi, the 9th July, 1990

S.O. 2103.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd., K.G.F. and their workmen, which was received by the Central Government on 6th July, 1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated 29th June, 1990

Central Reference No. 20/89

I PARTY :

Shri Anandaraj,
Rep. by the President,
Bharat Gold Mines' Association,
No. 545, Near Punjaba Line,
Gorgaum P.O. Kolar Gold Fields-563120.
Vs.

II PARTY :

The Managing Director,
Bharat Gold Mines Ltd.,
Gorgaum P.O. Kolar Gold Fields 563120.

APPEARANCES :

For the I Party Shri V. Gopala Gowda—Advocate.
For the II Party Shri K. J. Shetty—Advocate.

AWARD

The Hon'ble Central Government by virtue of the power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947 has referred the following dispute by its Order No. L-43012/19/88-D. III (B) dated 6-2-1989 for adjudication by this Tribunal. The dispute referred to is :—

POINT OF DISPUTE

"Whether the action of the Management of B.G.M.L. in denying promotion to Sri Anandaraj, T. No. 6360, Nundydroog Mines from Ex-Grade to D Grade is justified. If not, what relief is he entitled to ?"

2. The I party workman Shri Anandaraj is the employee of the II party (Management of Bharat Gold Mines Ltd. K.G.F.). The I party's token No. is 6360. He joined the II party on 12-12-1969 as general labourer. The I party was working in the Electric Department. He was then transferred to Battery section with promotion. He was promoted as Craftsman assistant in Battery Section. The I party was promoted to 'E' grade on 1-4-1975. On 1-11-1981 he was promoted to Ex-grade.

3. The Departmental Promotion Committee (DPC) constituted by the II party management held the interview on

1-12-1987 for the purpose of promoting the Ex-grade employees to D grade. Eight persons attended the interview. The I party had done well in the written test as well as viva voce. But he was not promoted to 'D' grade. Persons junior to him have been promoted from Ex-grade to D-grade. The I party has been wrongly denied the promotion to D grade. His seniority and merit have been ignored. The DPC has acted in a biased manner. The I party has been denied promotion without any justification. The I party is senior to Shri Pushparaj and Shri Palani who have been promoted to D-grade. The I party has studied upto IX Standard. Whereas Shri Pushparaj (token No. 6361) has studied upto 7th standard and Shri Palani (token No. 6364) has studied upto 8th standard. There is a break in the seniority of Pushparaj since he was given the first promotion later than the I party. The date of joining, the first promotion and third promotion are shown in the Table below :—

Name	Date of Joining	First Promotion to E Grade	Second Promotion to E Grade	Third Promotion to Ex-Grade
1. Anandaram	12-12-69	1-3-70	1-4-75	1-11-81
2. Pushparaj	12-12-69	1-12-70	1-4-75	1-11-81
3. Palani	12-12-69	1-12-70	1-4-75	1-1-82

4. The interview committee was biased against the I party. The I party has been denied promotion because he was an active trade union leader of Bharat Gold Mines' Association. The I party has been victimised. This is an unfair labour practice. The management has accommodated its own people, ignoring the claim of the I party. The denial of promotion to I party to 'D' grade is unjustified.

5. The I party has prayed that a direction should be issued to II party to promote the I party Anandaram to 'D' grade with retrospective effect from the date on which S/Shri Pushparaj and Palani were promoted to 'D' grade. He has also prayed for consequential benefits like back wages.

6. The II party has admitted that I party is a workman under II party. The II party has admitted that the I party was not promoted to 'D' Grade. The case of the II party is that as per the promotion policy of the Company, the eligible employees in the next below grade in the same discipline are considered in the ratio of 1:4 and accordingly 8 employees working in 'EX' grade were called for interview and selection to fill up two vacancies in 'D' grade. Out of these 8 candidates, 7 including Sri Anandaram, attended the interview. The selection is based on seniority-cum-merit and while selecting candidates, allocation of marks is done for various factors such as service in the grade, total service, written/practical test, oral interview qualification, ability to supervise, conduct, additional marks for meritorious service etc. The interview for selection in this case conducted by a committee consisting of 7 officers with the Deputy Chief Engineer, as Chairman on 12th and 13th November 1987 and the committee after taking into consideration various points referred to above, selected 2 employees namely, S/Shri A. Pushparaj and V. Palani for promotion to 'D' grade. According to the assessment of Departmental Promotion Committee, the performance of Sri Anandaram in written test and oral interview was very poor and he was not recommended for promotion by the Committee. The marks scored by him for ability to supervise and for meritorious service were also less than the marks scored by the two employees selected. S/Shri A. Pushparaj and V. Palani scored more marks and therefore they were selected by the Departmental Promotion Committee.

7. The II party has further stated in the counter statement that it is not aware whether the I party workman is a member of the Bharat Gold Mines' Association and whether he is involved in trade union activities. It is not true that the DPC was biased against the I party. The I party has not done well in the written test and in the interview therefore he was not selected. The II party has prayed that the reference should be rejected and it should be held that

the II party management is justified in not selecting the I party workman to 'D' grade.

8. Neither party has adduced evidence.

9. Arguments of both the counsel were heard.

10. It is not disputed that the I party and Pushparaj and Palani were appointed on the same day and the I party was above Pushparaj and Palani. It is also not disputed that the I party was given first promotion earlier than Pushparaj and Palani. It is also not disputed that second promotion to 'E' grade was given to all the same day, viz., 1-4-1975. It is further clear from the admitted facts that the I party and Pushparaj were promoted to Engaged on 1-11-1981. Palani was promoted to Ex-Grade on 1-1-1982. From the facts stated herein, it is obvious that the I party was always above Pushparaj and Palani in seniority. From the Annexure 'A' to the claim petition, it is abundantly clear that the I party has studied upto 9th standard, whereas educational qualification of Pushparaj and Palani is less than that of I party. Pushparaj has studied upto seventh standard and Palani upto eight standard.

11. It is argued by the learned counsel for the II party management that the selection to 'D' grade made by the D.P.C. is based on seniority cum merit and that the performance of the I party in written test and oral interview was very poor and so he was not recommended for promotion to 'D' grade by the committee. It is stated that the marks scored by I party for ability to supervise and for meritorious service were less than the marks scored by Pushparaj and V. Palani.

12. I have carefully gone through the stand taken by the II party management in the counter statement. The marks obtained by the I party and Palani and Pushparaj has not been given. It is not stated with definiteness and in detailed how the performance of the I party in written test and oral interview was poor, compared to the performance of Pushparaj and Palani. I hold unhesitatingly that the counter statement is bald and lacks details regarding the performance and the marks of the I party. What is discussed herein militates against the II party and goes in favour of the I party.

13. It has been laid down by the Supreme Court in AIR 1984 S. C. 1462 (S. K. Verma Vs. Mahesh Chandra) that while adjudicating the disputes between the forces of labour and management, a pragmatic and not a pedantic approach must be adopted. The Supreme Court has been pleased to lay down in AIR 1986 SC 132 (H. D. Singh Vs. Reserve Bank of India), "It has been our sad experience to find employers trying to stifle the efforts of employees in their legitimate claims for benefits permissible under the law by tiring them out in the adjudication proceedings by raising technical and hyper technical pleas." It is clear from the law laid down by the Supreme Court that a lenient view should be taken in matters like this. The labourers should not be deprived of the benefits permissible under the law.

14. For the aforesaid reasons the II party management is directed to promote with retrospective effect the I party workman Shri Anandaram Token No. 6360 to 'D' grade with effect from the date Shri Pushparaj (token No. 6361) and Shri Palani (token No. 6364) were promoted to 'D' Grade. The I party shall be placed above Pushparaj and Palani in seniority. The pay of the I party workman shall be fixed with effect from the date of this award. It is made clear that in the circumstances of the case the I party workman is not entitled to back wages. Award passed as stated herein.

(Dictated to the Stenographer taken down by her, got typed and corrected by me)

M. B. VISHWANATH, Presiding Officer

[No. L-43012/19/88-D.III(B)]

V. K. SHARMA, Desk Officer

नई दिल्ली, 9 जुलाई, 1990

का.आ. 2104.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बानसकांठा मेहसाना ग्रामीण बैंक के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय औद्योगिक अधिकरण ग्रहमवावाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5 जुलाई, 1990 को प्राप्त हुआ था।

New Delhi, the 9th July, 1990

S.O. 2104.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby published the following award of the Central Industrial Tribunal Ahmedabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Banaskantha Mehsana Gramin Bank and their worker, which was received by the Central Government on 5th July, 1990.

ANNEXURE

BEFORE SHRI N. A. CHAUHAN, CENTRAL INDUSTRIAL TRIBUNAL, AHMEDABAD

Reference (ITC) No. 3/90

BETWEEN

Banaskantha Mehsana Gramin Bank,
Pilucha. . . First Party.

AND

its workmen.

C/o. Shramjivi General Workers Union,
Ambaji. . . Second Party.

Re : Whether the action of the first party in terminating the services of Shri Sumankumar R. Parmar, Messenger-cum-peon, from 1st August, 1988, is fair.

JUDGEMENT

1. The present reference was entrusted for adjudication to the Industrial Tribunal at Ahmedabad, of the industrial dispute between the parties, under Industrial Act, 1947, which will hereafter be referred to as the Act of 1947, vide Section 10(1)(gh) and sub-section (2-A), as per order No. L-12012/77/89-IR(B)-1 dated 11th January, 1990, of the Labour Ministry of the Central Government. The same has been allotted to us.

2. The industrial dispute between the parties which is to be adjudicated is such that whether the action of the first party in dispensing with the services of Shri Sumankumar Ramchandra Parmar, Messenger-cum-peon, from 1st August, 1988, without following the provisions of Section 25-F, is fair; if not, to what relief the concerned workman is entitled?

3. In this reference, both the parties were issued notices to remain present before the Tribunal on 14th February, 1990, which have been served to both the parties. Yet, no one remained present for the second party, Union, and no statement of demand has been submitted. On the side of the first party also, no one remained present. Thereafter, this reference was fixed for 28th February, 1990. Even on that day, no one remained present for the Union or has submitted any proof in support of their demand. As such, there is reason to believe that the Union does not seem to be interested in the demands raised in this reference. As a result, the demand of this reference cannot be accepted in absence of the Union and without their proofs. As a result, the following order is being passed in this matter:

ORDER

4. The demand is not being accepted as the second party has not submitted any proof in support of the demand and

has not remained present. Thus this reference is being cancelled. No order is passed regarding the cost.

Sd/-
Secretary,
Ahmedabad,
Dated : 16-3-1990.

NARAN A. CHAUHAN, Central Industrial Tribunal
[No. L-12012/77/89-IR(Bank-I)]

नई दिल्ली, 12 जुलाई, 1990

का. आ. 2105.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बनारस स्टेट बैंक लिमिटेड के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बनाम न्यायालय कानपुर में पंचपट को प्रकाशित करती है। जो केन्द्रीय सरकार को 11 जुलाई, 1990 को प्राप्त हुआ था।

New Delhi, the 12th July, 1990

S.O. 2105.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby published the following award of the Central Government Industrial Tribunal Cum Labour Court Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of The Benaras State Bank Ltd and their worker, which was received by the Central Government on 11-7-90.

BEFORE SHRI ARJAN DEV PRESIDING
OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT,
PANDU NAGAR, KANPUR.

Industrial Dispute No. 36 of 1988
In the matter of dispute between :

Shri Doodh Nath Singh C/o Shri Rajaram
Ghamahapur, Post Lohta, District Varanasi.

AND

The Assistant General Manager (P)
The Benaras State Bank
Head Office D-52/1 Luxa Road
Varanasi

AWARD

1. The Central Government, Ministry of Labour vide its notification No. L-12012/89/87-D.IV(A) dt. 17-3-88, has referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Benaras State Bank Ltd. Bulanala Branch in terminating the services of Shri Doodh Nath Singh, Clerk, w.e.f. 31-1-1984 is justified ? If not to what relief the workman is entitled ?

2. The workman's case is that he was appointed in the clerical cadre in a clear vacancy at Bulanala Branch of the bank on 23-1-83. However, no letter of appointment in respect of the said appointment was given to him. He alleges that he had worked as a clerk at the said branch of the bank at different seats right upto 31-1-84 when his services were terminated illegally without any written order in violation of provisions of Sec. 25I, 25G I.D. Act. He alleges that he had not been paid wages during the entire period of his working. After the termination of his services the bank recruited fresh hands as clerk without giving him any opportunity. Thus the bank clearly violated the provisions of Sec. 25H of the Act. He has, therefore, prayed that after declaring the order of his termination as illegal he be reinstated in service.

3. The management plead that the workman was engaged on daily wage basis in leave vacancy as and when required at Bulanala Branch of the Bank. He had worked temporarily for less than 240 days in 12 consecutive months in the bank for which he was paid all his salary. The management admits that after the termination of his services fresh hands were recruited after written test and interview. The workman having worked for less than 240 days, question of violation of the provisions of Sec. 25F and 25G does not arise. The demand made by the workman was also raised on his behalf by All India Benaras State Bank Employees Union vide its letter dt. 13-9-84, before the Assistant Labour Commissioner (Central), but the same was dropped by the ALC(C). The same demand was again raised by the workman vide his letter dated 15-6-85 in which he has alleged that he had worked only for 145 days during the period 17-1-83 to 31-1-84 before the ALC(C). This case was also ultimately closed. Now, once again the workman has raised the present dispute.

4. The management further plead that a settlement was arrived at between the management and the two major Unions operating in the bank on 4-7-86. In terms of the settlement, the bank got published a notice in important News Papers drawing attention of all concerned and calling from them fresh applications from all temporary/ex-temporary employees desirous of seeking of permanent employment in the bank. In pursuance of the said notice the workman applied for appointment in the bank and appeared in the test, but could not qualify in it. Having failed to qualify in the written test, he cannot be allowed to agitate the matter. Hence, the workman is entitled to no relief.

5. In his rejoinder, the workman has alleged that it is wrong to say that he was engaged by the bank on daily wages. He has further alleged that there was a joint inspection at the instance of the ALC(C), Allahabad and from the joint inspection note it is evident that he had worked for more than 240 days. No other new fact has been alleged by him in his rejoinder.

6. In support of his case, the workman has filed his own affidavit and a few documents. On the other hand in support of their case, the management have filed the affidavit of Shri B. S. Pandey, Manager, Mainpuri Branch of the Bank and a few documents.

7. From the evidence on record, it appears that the workman was engaged as a temporary clerk by the bank. In para 3 of his statement in cross examination, he has deposed that in pursuance of the settlement dated 4-7-1986, the bank got published a notice in News Papers calling for application from temporary employees. Pursuance to the said notice he also applied. A written test was held, but in that he could not qualify. By means of his application dated 26-3-1990, the workman filed two documents marked Ext. W-1 and W-2. Both the documents have been admitted by the authorised representative for the management. Both the documents are in respect of temporary employees who had worked in the bank in the clerical cadre and who were claiming permanent absorption in the bank. Ext. W-2 is the copy of minutes of discussions held on 3-1-1990 between the management and All India Benaras State Bank Employees Union. The cases of three persons including that of the workman concerned were considered.

8. Thus from the above evidence it stands proved that the workman had worked as temporary employee in the clerical cadre at Bulanala Branch of the Bank.

9. The next important question to be considered is whether he had worked for 240 days or more within the period of 12 months prior to termination of his services. The date of termination in the reference order is given as 31-1-1984. The case of the workman is that he had worked till 31-1-84 and that on that very day at the close of the business his services were terminated by the bank.

10. The workman's case is that he had worked for 365 days during the period 23-1-1983 to 31-1-84. On the other hand the management's case is that the workman had worked for less than 240 days during the 12 calendar months prior to the termination of his services.

11. From the side of the management great reliance has been placed on the statement made by the workman in para 2 of his statement in cross examination that in his application dated 15-6-1985, moved before the ALC(C) Allahabad he had alleged that he had worked for 140 days. In think much capital cannot be made out of this statement. The evidence on record prove otherwise.

12. Ext. W-2 has already been referred by me above. From the minutes of discussions between the Union and the management it appear that the cases of workman besides two other persons were the subject matter of the discussion between the Union and the management. The following lines appearing in it are relevant :—

Subsequently Assistant Labour Commissioner (Central) visited our Bulanala Branch and made an inquiry regarding number of days they have worked and issued a certificate to that effect duly confirmed and counter signed by the Branch Manager. Accordingly they are reported to have worked for more than 240 days.

This document thus show that the workman had worked for more than 240 days during the period 23-1-1983 to 31-1-1984.

13. With his rejoinder the workman has filed the photostat copy of the joint inspection report. The workman is shown to have worked continuously without break during the following periods :—

18-1-1983 to 31-1-1983.

1-2-1983 to 31-8-1983.

1-10-1983 to 30-1-1984.

It means that the workman had worked for a little over 350 days during the period of 12 months preceding the date of termination of his services.

14. In para 9 of his affidavit it has been deposed by the workman that ALC(C) held a joint inspection and it was found by him that he had put in 365 days of service in the bank. Although he has made no attempt to prove the joint inspection report which he has filed with the rejoinder. The same has been got proved by the workman's side from the management witness who in his cross examination has deposed that it bears the signatures of Shri J. P. Srivastava the then Branch Manager, Bulanala Branch, Varanasi. During the course of arguments it was contended by the management that it is not a joint inspection report. The branch manager had simply put his signatures on the asking of ALC(C). My attention was also drawn to the facts deposed to by the management witness in para 10 of his affidavit wherein he has deposed that joint inspection report is not worthy of reliance as the workman had himself admitted that he had worked for lesser number of days. In fact the branch manager had signed the joint inspection note in token of his having accepted the copy thereof and not the correctness of the contents. No reliance can be placed on the statement of the management witness as Shri Srivastava who vide statement of management witness is still in the service of the bank has not been produced to show as to under what circumstances he had signed the joint inspection note. It is admitted by the management witness that at the time when the joint inspection note was prepared and signed he was not present at the camp office of ALC(C) Allahabad.

15. Therefore, from the above evidence and circumstances I hold that prior to the termination of his services, the workman had worked for more than 240 days during the period of 12 calendar months.

16. It is not the case of the management that at the time of termination of his services, the workman was given any notice or notice pay and retrenchment compensation. So his services were terminated by the management in violation of the provisions of Section 25F I.D. Act.

17. The workman has also raised the plea that his services were terminated in violation of the provisions of Section 25G but there is no evidence worth consideration but for mere allegation. Therefore, it cannot be held that his services were terminated in violation of provisions of Section 25G I.D. Act.

18. In the instant case, the management have set up the settlement dated 4-7-1986, which was arrived at between the management of the bank and All India Benares State Bank Employees Union, copy of which is Ext. M-1. It has been admitted by the authorised representative for the workman also.

19. In para 9 of his statement in his cross examination, the workman has admitted that such a settlement was arrived at between the parties and that in pursuance of the said settlement, the management got published a notice in important News Papers and in pursuance of the said notice he made an application for his absorption in the bank.

20. Part B of the terms of the settlement is on the subject of clerical cadre. In para 9 it is provided that the bank agrees that persons who have worked for 245 days or more in 12 consecutive months in clerical cadre shall be absorbed in the permanent service of the bank. It further provides that the candidates who have worked for 240 days in 12 consecutive months will be given one increment and those who have worked for 500 days or more will be given one more additional increment. Para 10 provides that candidates whose cases are covered under para 9 shall be absorbed in permanent bank service on preferential basis in supersession of any panel of clerical staff. Part E deals with General Provisions. Para 18 is to the effect that this settlement resolves all such cases pending before any conciliation authority. Para 20 lays down that this settlement shall come into force with immediate effect and shall be binding on all the parties.

21. The question is whether the workman is bound by the terms of the settlement or not. After considering the facts and circumstances of the case, I am of the view, that he is governed by the terms of this settlement. We have seen above that in pursuance of the notice published by the bank in important News Papers for permanent absorption in the clerical cadre of temporary employees he applied for his absorption and even appeared in the written test. In para 14 of the written statement it has been pleaded by the management that the workman raised the dispute through All India Benares State Bank Employees Union, before the Assistant Labour Commissioner (Central). This fact has not been specifically denied by the workman in his rejoinder. Therefore, he will be deemed to have admitted this fact. Not only that the workman appointed All India Benares State Bank Employees Union to represent him in the present case. There is another letter on the record to show that Shri M. N. Upadhyaya, General Secretary of the Union appointed Shri D. S. Saxena, Dy. General Secretary, of the Union to conduct the case on behalf of the Union.

22. Thus it becomes evident that the workman's case was espoused by the said Union which was a party to the settlement and that he is suffering his case conducted through the office bearers of the said Union. He is, therefore, bound by the terms of the settlement dated 4-7-1986. Hence it is held that the workman is entitled to get relief in terms of the settlement dated 4-7-1986.

23. Held that despite the fact that the action of the management of Benares State Bank Limited in relation to their Bulanala Branch, Varanasi in terminating the services of the workman w.e.f. 31-1-84 is not justified. In the light of the settlement dated 4-7-1986, the present dispute between the parties stands resolved and the workman Shri Doodh Nath

Singh is entitled to be absorbed in permanent service of the Bank in clerical cadre in its terms.

24. The reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. L-12012/39/87-D.IV(A)]
S. C. SHARMA, Desk Officer.

नई दिल्ली, 13 जुलाई, 1990

का. ग्रा. 2106.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की कतरास चोतुडीह कोलियरी के प्रबन्धतन्त्र में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनवाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 6-7-1990 का प्राप्त हुआ था।

New Delhi, the 13th July, 1990

S.O. 2106.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Katras Choitudih Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 6-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 69 of 1989

PARTIES :

Employers in relation to the management of
Katras Choitudih Colliery of M/s. B.C.C.
Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri S. N. Goswami, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, the 27th June, 1990

AWARD

By Order No. L-20012(102)88-D. 3(A) I. R. (Coal-1) dated, the 30th May, 1989, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

1941 GI/90—13

"Whether the action of the management of Katras Choitudih Colliery of M/s. Bharti Coking Coal Ltd. in accepting the resignation of Shri Sukar Dusadh, Ex-hookman under Voluntary Retirement Scheme vide their letter dated 28-10-1980 but allowing him to continue in service till his superannuation with a view to denying him the benefits of employment to his dependant son is justified? If not, to what relief is the workman entitled?"

2. The case of the employer in relation to the management of Katras Choitudih Colliery, details apart, is as follows :

The present reference at the instance of Sukar Bhunia, a retired workman of the colliery on his demand for employment of his son does not come within the purview of an industrial dispute under the Industrial Disputes Act. The substantive case of the management is that in order to reduce the strength of surplus time-rated employees of different collieries by voluntary action without resorting to retrenchment a scheme for voluntary retirement was introduced in 1979 and a circular dated 29-1-79 was issued by the then General Manager (Personnel) of M/s. B.C.C. Ltd. As per the scheme a time-rated employee who had crossed 48 years of age and remained below 56 years could retire from service voluntarily in favour of his dependant son or son-in-law to be provided with the job of piece-rated miner/loader in his place subject to certain overriding clauses. The local management were debarred from converting piece-rated employees into time-rated employees to fill up the vacancies to be created on account of such voluntary retirement and the productive workers specially the competent persons like Electricians, Fitters, Welders, Moulders etc. can not claim advantage of this scheme. Thus the voluntary retirement scheme was not applicable to all the time-rated workers and the management could permit retirement of surplus timerated workers only. Inefficient workers with poor health conditions were given preference to retire under the scheme according to surplusage of the various categories. The concerned workman was working as "Onsetter" (hookman) in charge of controlling movement of cages from pit-bottom by means of signals and ensuring safe movement of men and materials through cages and was entrusted with several duties specified under Coal Mines Regulations, 1957. He was a "competent person" under Coal Mines Regulations, 1957 and was a productive worker under the scheme and the scheme had no application in his case. However, in case he would have become surplus to requirement and incapable of performing his duties for some reasons or others, he would have been allowed to retire under the Scheme. He applied for his voluntary retirement; he was medically examined and his case was considered. He was absolutely normal; he was a competent productive worker and was not surplus. Therefore, his case does not fall within the purview of the Voluntary Retirement Scheme and was not permitted to retire in 1980 and 1981. He retired from service in 1985 after completion of full term of his service. Hence the claim of the workman for employment of his dependant son is not justified.

3. The case of the concerned workman is that he was a permanent workman of Katras Choitudih Colliery: he was appointed by the erstwhile owner prior to take over and nationalisation of the colliery. He was working as hookman in underground mine and he was maintaining his service records without any stigma. In 1980 the company circulated a Scheme for voluntarily retirement from service and the same scheme was adopted by M/s. B. C. C. Ltd. He offered to retire himself voluntarily from service of the company with the condition for employment of his son in his place under Voluntary Retirement Scheme. He along with other workmen submitted their resignation voluntarily from the permanent service of the company and the pre-condition as per Voluntary Retirement Scheme was fulfilled and particulars were submitted on 11-9-80. The Senior Personnel Officer of Katras Choitudih Colliery was pleased to issue a letter directing him for medical examination before the Superintendent Medical, Katras Area Angarpathra Hospital by letter dated 28-10-80. His resignation was accepted with effect from 28-10-80. But the management adopted dual policy of pick and chose and his case was not finalised. He was allowed to continue in service in spite of the fact that his resignation was accepted. The management finalised the cases of his other co-workers who offered resignation under Voluntary Retirement Scheme at the same time and the dependents were provided employment in their places. Unfortunately in his case principles of natural justice was not followed and the management victimised him by denying the facilities of Voluntary Retirement Scheme. It is well settled that when he opted to retire from service voluntarily and his resignation was accepted by the appropriate authority and his son was directed to appear in medical examination for ascertaining his fitness, the management cannot deprive him of his right to voluntary retirement from service under Voluntary Retirement Scheme. He submitted several representations for providing employment to his dependant son and a minute of discussion held with Janta Mazdoor Sangh disclosed that his case was discussed in presence of the General Manager, Katras Area and decision was taken that the case would be examined and advice from the Headquarter taken. But the management did not provide employment to his dependant son. The cases of Shri M. N. Prasad Sakar Gope and Smt. Faridan Mian were considered under Voluntary Retirement Scheme and they were allowed to retire from service under Voluntary Retirement Scheme. The management has made unfair discrimination between workmen and workmen in the matter of giving opportunity to retire from service under Voluntary Retirement Scheme. In the circumstances, the concerned workman has prayed that his son be provided employment under Voluntary Retirement Scheme.

4. In rejoinder to the written statement of the concerned workman, the management has denied emphatically that his resignation was accepted on 28-10-80. Voluntary Retirement Scheme is a Voluntary act and depends upon the option of a workman and the option of the management keeping in view the object of the scheme; it is not based on any policy of pick and choose. The concerned workman did not raise any dispute till the present reference and continued in his employment till he was retired from service in normal course. His resignation was never accepted. The

management has stated that it has made no discrimination and considered each case on its merit.

5. In rejoinder to the written statement of the management, the concerned workman has stated that the present industrial dispute is maintainable. Apart from the job of Onsetter/Banksman, the concerned workman was allowed to perform the job of other nature in 15 Seam incline. He submitted application in accordance with Voluntary Retirement Scheme. No letter was issued to him rejecting his application under Voluntary Retirement Scheme. In the circumstances he has prayed that the management be directed to give employment to his dependant son.

6. The management has examined only one witness, namely, MW-1 Sambhu Nath Verma and introduced in evidence only one item of document i.e. Circular dated 29-1-1979 on the subject : Voluntary Retirement Scheme for the time-rated employees, which has been marked Ext. M-1.

On the other hand, the concerned workman has examined himself and adduced in evidence in number of documents which has been marked Exts. W-1 to W-7.

7. Shri B. Joshi, Advocate for the management, has contended that the present dispute raised by the concerned workman individually is not maintainable under the provision of the Industrial Disputes Act and that in the present case where the question of discharge, dismissal, retrenchment or otherwise termination of service of an individual workman is not involved, the dispute must have been espoused by a trade union or substantial number of workmen of the establishment.

On the other hand, Shri S. N. Goswami, Advocate for the concerned workman has contended that the present dispute is an industrial dispute and so it is maintainable.

8. The present dispute, admittedly, was raised by the concerned workman individually. It is well settled that an industrial dispute could not per-se be an industrial dispute but could become so if it is taken up by a trade union or a substantial number of workmen of the establishment. This legal position created hardship for individual workmen who were discharged, dismissed, retrenched or whose services were otherwise terminated when they could not find support by a union or a appreciable number of workmen to espouse their cause. The provision of Section 2-A was engrafted in the Industrial Disputes Act by the Amendment Act, 1965 in order to do away with the requirement for espousal of an individual dispute for converting it into an individual dispute in cases where the dispute arises out of (i) discharge, (ii) dismissal, (iii) retrenchment or (iv) otherwise termination of service of an individual workman. Any other type of dispute regarding individual workman is not contemplated by Section 2-A and will be governed by principle of law that an individual dispute can become an industrial dispute only if it is taken up by a trade union or substantial number of workmen of the establishment. This being the legal position and the present dispute not being covered by Section 2-A of the Industrial Disputes Act, I am constrained to hold that the present reference is not maintainable.

9. Even on merit the case of the concerned workman is not sustainable.

The case of the concerned workman is that he was a permanent workman of Katras Choutidih Colliery and that M/s. B. C. C. Ltd. circulated a scheme for voluntary retirement from service in 1980 and that he offered to retire from service in prescribed form on 11-9-80 in term of that scheme. His further case is that he was working as Hookman in the colliery and that he and his dependant son were medically examined on 28-10-80.

The case of the management is that the concerned workman was working as Onsetter (Hookman) in the colliery and that the scheme of voluntary retirement introduced and circulated by the management in 1979 envisages that a time-rated employee who had crossed 48 years of age and remained below 56 years could retire from service voluntarily in favour of his dependant son or son-in-law who is to be provided the job of piece-rated miner/loader in his place and that the scheme was not applicable to the productive workers, specially the competent person like Electrician, Fitters, Welders, Moulders etc. and that the scheme was not applicable to all time-rated workers and the management could permit retirement of surplus time-rated workers. The management has produced circular dated 29-1-79 on the subject—Voluntary Retirement Scheme for time-rated employees (Ext. M-1). The circular runs as follows :

"It has been decided to introduce Voluntary Retirement Scheme for time-rated employees. The salient features of the Scheme are as under :

- (i) The employee retiring voluntarily should be more than 48 years of age and less than 56 years of age.
- (ii) This Scheme, however, will not be applicable in cases of productive workers i.e. Electrician, Fitters, Welders, Moulders etc.
- (iii) The employment provided in lieu of such retiring employees to their son/son-in-law will be only as miner/loader i.e. piece-rated (underground).
- (iv) The vacancy occurring due to such voluntary retirement in the time-rated posts will not be filled in by the existing piece-rated employees as time-rated.
- (v) The retiring employees will be paid the gratuity as per terms of payment of Gratuity Act and other legal dues. However, no extra monetary benefit will be paid to such retiring employees.

The option forms for voluntary retirement under the Scheme are enclosed.

You are requested to please give the Scheme a wide publicity amongst the time-rated employees mentioned above and initiate action accordingly under intimation to this office."

Thus, it is evident from the circular that it is applicable to only such time-rated employees who have crossed 48 years of age but remained below 56 years of age and who have been declared surplus. This Scheme was not applicable to productive workers and non-surplus workers.

10. It is the emphatic case of the management that the concerned workman was working as Onsetter

(Hookman). The concerned workman has also admitted that he was working as Hookman. The duties of Onsetters/Hookmen as per the report of the Coal Wage Board for Coal Mining Industry is as follows :

Volume—II page 46 :

- | | |
|----------|---|
| Onsetter | ... A workman who works underground and performs similar duties to those of the Banksman. |
| Banksman | ... A workman who is in control of the shaft top and gives the signals to the onsetter and the winding engine man when the cages are to be wound in the shaft with coal or men or materials. He also at times controls the entry of workmen into the cage before they are lowered underground." |

The duties of Banksmen and Onsetters are also enumerated in Regulation 52 of the Coal Mines Regulation, 1957. It is the emphatic case of the management that the concerned workman, working as Onsetter (Hookman), was a productive worker. This statement of the fact has not been denied by the concerned workman. MW-1 Sambhu Nath Verma, presently working as Manager of Katras Choutidih Colliery, has emphatically stated that Onsetters and Banksmen working in the colliery are productive workers. The statement of his has not been assailed in the cross-examination. This being the position, I come to the conclusion that the concerned workman was a productive worker when he submitted his application for retirement under Voluntary Retirement Scheme.

11. The case of the management is that the concerned workman was not declared surplus by the management. MW-1 Sambhu Nath Verma has stated that at the time when the circular was received in the office of the colliery they had no surplus workers working as Hookman or Banksman/Onsetter. The concerned workman has, however, stated that he was declared surplus. But he could not produce any document indicating that he was declared surplus by the management at any stage. Hence, I am constrained to hold that he was not declared as a surplus worker by the management.

12. Since he was a productive time-rated worker and since he was not declared surplus, his case is not covered by the Voluntary Retirement Scheme.

13. Admittedly, he applied for retirement under Voluntary Retirement Scheme. It appears that both he and his dependant son were medically examined. But after that nothing happened. There is no evidence on record to indicate that the management accepted his resignation under Voluntary Retirement Scheme. On the other hand, it is established by evidence that he was allowed to continue in service till he reached the age of superannuation on 18-2-86 on completion of 60 years of age (Ext. W-3).

14. The concerned workman attempted to make out a case of discrimination against him by stating in the written statement that S/Shri Murli Rewani, M.N. Prasar, Sukar Gope and Smt. Faridan Mian were allowed to retire from service under Voluntary Retirement Scheme while he was not so allowed. It appears

that S/Shri M.N. Prasar, Sukar Gope and Faridan Bibi were allowed to retire from service and their dependants were given employment by Office Order dated 5-7-85 (Ext. W-2). But there is no vestige of evidence to indicate that they were productive workers and declared surplus. The concerned workman has stated in his evidence that Ram Dular Singh was his co-worker as Hookman and that he was allowed to retire from service under Voluntary Retirement Scheme and his son Nagendra got employment. But this statement of fact has not been made out in his written statement. I consider that this statement of his is an after thought in order to bolster up his case.

From the evidence on record, the concerned workman has failed to establish that any discrimination was made against him by the management in the matter of his offer to retire from service under Voluntary Retirement Scheme.

15. Shri S. N. Goswami has submitted that the management agreed to consider the case of employment of the son of the concerned workman is a meeting with the union, namely, Janta Mazdoor Sangh. Indeed, the minute of discussion held on 24-1-87 with the representatives of Janta Mazdoor Sangh on the issue of employment of the dependant son of the concerned workman indicates that the management agreed that the case would be examined and advice taken from the Headquarters (Ext. W-7). But this minute of discussion does not give any right to the concerned workman to secure employment for his son under Voluntary Retirement Scheme. If the management so wish they can even now consider the case of the dependant son of the concerned workman for employment. But in the present reference the concerned workman has got no relief and the action of the management is held to be justified.

16. Hence, the following award is rendered—the action of the management of Katras Choitudih Colliery of M/s. B. C. C. Ltd. in allowing the concerned workman to continue in service till superannuation is justified and that its action in denying employment to his dependant son under Voluntary Retirement Scheme is also justified.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer
[No. L-20012(102)88-D.III(A)IR(C.I)]
K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 16 जुलाई, 1990

का. या. 2107.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के माध्यम से धारा 88 द्वारा प्रदान शक्तियों का प्रयोग करते हुए, उक्त अधिनियम प्रवर्तन में मैमसे हिन्दुस्तान इन्सैक्टिमाईड लिमिटेड, नई दिल्ली में नियुक्त नियमित कर्मचारियों को 1 मार्च, 78 से 31 मार्च, 1980 तक की जिसमें यह दिनांक भी सम्मिलित है कि अवधि के लिए छुट प्रदान करती है।

पुर्वोक्त छुट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) पुर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित है, एक रजिस्टर रखेगा, जिसमें छुट प्राप्त कर्मचारियों के नाम और पदाभिमान दिखाए जाएंगे ;

(2) इस छुट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करने रहेंगे, जिनको पाने के लिए वे इस अधिमूचना द्वारा दी गई छुट के प्रवृत्त होने की तारीख में पुर्व सन्वत्त अभिदायों के आधार पर हकदार हो जाते,

(3) छुट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही किए जा चुके हों तो वे वापस नहीं किए जाएंगे ;

(4) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् "उक्त अवधि" कहा गया है), ऐसी विवरणियां ऐसे प्रारूप में और ऐसी विनिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;

(5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी:—

(i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिष्टियों को मंजूर करने के प्रयोजनार्थ ;

(ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं ; या

(iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिकूल स्वरूप इस अधिमूचना के अधीन छुट दी जा रही है, नुकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या

(iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा:—

(क) प्रधान या अध्यक्षित नियोजक में अपेक्षा करने कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ;

(ख) ऐसे प्रधान या अध्यक्षित्त नियोजक के अधि-
भोगाधीन किसी कारखाने स्थापन, कार्यालय या
अन्य परिसर में किसी भी उचित समय पर प्रवेश
करना और उनके प्रगती से यह अपेक्षा करना
कि वे व्यक्तियों के नियोजन और मजदूरी के
संदर्भ में संबंधित ऐसे लेखे बहियां और अन्य
दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के
समक्ष प्रस्तुत करें और उसकी परीक्षा करने दें
या उन्हें ऐसी जानकारी दें, जिसे वे आवश्यक
समझते हैं, या

(ग) प्रधान या अध्यक्षित्त नियोजक की, उसके अधि-
कर्ता या सहायक की या ऐसे व्यक्ति की जो ऐसे
कारखाने, स्थापन कार्यालय या अन्य परिसर में
पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे
में उक्त निरीक्षक या अन्य पदधारी के पास या
विश्वाम करने का युक्तियुक्त कारण है कि वह
वर्गचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर
में गठे गए किसी रजिस्ट्रार, लेखाबही या अन्य
दस्तावेज की नकल तैयार करना या उसमें
उद्धरण लेना ।

[संख्या एस-38019/4/89-एस. एम. -I]

स्पष्टीकरण ज्ञापन

इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक
हो गया है क्योंकि छूट आवेदन पत्र देरी से प्राप्त हुआ था।
किन्तु यह प्रमाणित किया जाता है कि छूट को भूतलक्षी
प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव
नहीं पड़ेगा ।

New Delhi, the 16th July, 1990

S.O. 2107.—In exercise of the power conferred by
section 88 read with section 91A of the Employees' State
Insurance Act, 1948, the Central Government hereby exempts the regular employees of M/s. Hindustan Insecticides Ltd., New Delhi, from the operation of the said Act for a period with effect from 1st March, 1978 upto and inclusive of the 31st March, 1980.

The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to

the date from which exemption granted by this notification operates;

- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purpose of :—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory be empowered to—
 - (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
 - (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment office or other premises.

[No. S-38019/4/89-SS-I]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the application for exemption has received late. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 20 जुलाई, 1990

का. आ. 2108.—कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1912 का 19) की धारा 5क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री वी. पी. महामते के स्थान पर श्री एस. के. नन्दा को केन्द्रीय न्यायी बोर्ड का सदस्य नियुक्त करती है। और भारत के असाधारण राजपत्र भाग-II खण्ड 3 उपखण्ड (ii) दिनांक 18 सितम्बर, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 677(ई) दिनांक 18 सितम्बर, 1985 में निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में क्रम संख्या 24 बी के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात् :—

“श्री एस. के. नन्दा

महासचिव

दम्पलायर्स फेडरेशन आफ इंडिया,

आर्मी एवं नौवी बिल्डिंग,

148 महात्मा गांधी रोड,

बम्बई-400023”

[संख्या बी-20012(2)/89-न. सु.-2]

ए. के. भट्टाचार्य, अवर सचिव

New Delhi, the 20th July, 1990

S.O. 2108.—In exercise of the powers conferred by sub-section (1) of section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. K. Nanda as a member of the Central Board of Trustees in place of Shri V. B. Mahatme and makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 677(E) dated the 18th September, 1985 published in Part-II section 3, sub-section (ii) of the Gazette of India extraordinary dated the 18th September, 1985.

In the said notification, against serial No. 24 and entries relating thereto, the following shall be substituted, namely :—

“Shri S. K. Nanda,

Secretary-General

Employers' Federation of India,

Army & Navy Building,

148 Mahatma Gandhi Road,

Bombay-400 023”.

[No. V. 20012(2)/89--SS.II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 20 जुलाई, 1990

का. आ. 2109.—केन्द्रीय सरकार का यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित है, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ण) की उपधारा (6) के अनुसरण में भारत सरकार के श्रम मंत्रालय की तारीख 4 जनवरी, 1990 की अधिसूचना संख्या 172 के तहत दिल्ली दुग्ध योजना के अधीन दुग्ध आपूर्ति उद्योग को उक्त अधिनियम के प्रयोजनार्थ 29 जनवरी, 1990 से छह माह की कालावधि के लिए लोकोपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त अवधि को और छह माह के लिए बढ़ाना अपेक्षित है,

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ण) की उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनार्थ 29 जुलाई, 1990 से छह माह की कालावधि के लिए लोकोपयोगी सेवा घोषित करती है।

[संख्या एम-11017/14/81-डी-I (ए)]

नन्द लाल, अवर सचिव

New Delhi, the 20th July, 1990

S.O. 2109.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 172 dated the 4th January, 1990 the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act, for a period of six months from the 29th January, 1990;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 29th July, 1990.

[No. S-11017/14/81-D.I(A)]
NAND LAL, Under Secy.

नई दिल्ली, 25 जुलाई, 1990

का. आ. 2110.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स सेंट्रल कोलफील्ड्स लि. की लायो झारखंड कोलियरी के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-90 को प्राप्त हुआ था।

New Delhi, the 25th July, 1990

S.O. 2110.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Laiyo-Jharkhand Colliery of M/s Central Coalfields Ltd. and their workmen, which was received by the Central Government on the 10-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 274 of 1987

In the matter of an industrial dispute under Section 10(1) (d) of the I. D. Act., 1947.

PARTIES

Employers in relation to the management of Laiyo-Jharkhand Colliery of M/s. Central Coalfields Ltd. of Laiyo-Jharkhand Colliery of M/s. Central Coalfields Ltd. and their workmen.

APPEARANCES

On behalf of the employers.—Shri R. S. Murthy, Advocate.

On behalf of the workmen.—Shri U. N. Singh, Secretary, R.C.M.S.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad the 2nd July, 1990

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(41)/87-D.IV (B), the 18th September, 1987.

SCHEDULE

“Whether the action of the management of Laiyo-Jharkhand Colliery of Central Coalfields Ltd. P. O. Kedla, Distt. Hazaribagh in denying regularisation to S/Sri Girja Bind, Banarsi Yadav, Chhotiya Munda, Raghunath Munda and Kamal Satnami in

T/R Cat. IV when they have been working for the last 4 years and the management is paying difference of wages for higher job is legal and justified? If not, to what relief are the concerned workmen entitled?

In this case both the parties appeared and filed their respective W. S. etc. Thereafter the case proceeded along its course. Subsequently when the case was fixed for evidence of parties both the parties appeared and filed a Joint Compromise Petition. I heard them on the said petition of compromise and I do find that the terms contained therein are fair, proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the Joint Compromise petition which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer
[No. 1-20012(41)/87-D.IV(B) [IR(CI)]]

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO 2 DHANBAD

In the Matter of Ref., (No. 274 of 1987.

PARTIES

Employers in relation to the Management of Laiyo-Jharkhand Colliery of Central Coalfields Limited, P. O. Kedla, Dist. Hazaribagh.

AND

(Their Workmen

Joint Compromise Petition of Employers and Workmen.

The above mentioned Employers and the workmen/Sponsoring Union most respectfully beg to submit jointly as follows :—

(1) That the Employers and the workmen/sponsoring Union have jointly negotiated the matter covered by the above reference with a view to arriving at a mutually acceptable and amicable settlement.

(2) That as a result of such negotiations, the Employers and the workmen/sponsoring Union have arrived at a settlement on the following terms and conditions :—

(a) It is agreed that on the basis of the negotiations held between the Employers and the workmen/sponsoring Union, the five workmen concerned viz. S/Sri Girja Bind, Banarsi Yadav, Chhotiya Munda, Raghunath Munda and Kamal Satnami have already been regularised as Tyndal in daily rated Cat. IV w.e.f. 12-5-1989 by Office Order No. No. PO(L&J)/PS 2/89/2894-2907 dated 12-5-1989 issued by the Project Officer, Laiyo-Jharkhand.

(b) It is agreed that in view of the position indicated in clause (a) above, the dispute referred to this Hon'ble Tribunal stands fully resolved.

(c) It is agreed that this joint compromise represents full and final settlement of all the claims of the workmen concerned and the sponsoring Union arising out of the above reference.

(3) That the Employers and the workmen/sponsoring union hereby confirm and declare that they consider that the above terms and conditions of settlement are fair, just and reasonable to both the parties.

In view of the above, the Employers and the workmen/sponsoring Union jointly pray that the Hon'ble Tribunal may be pleased to accept this joint compromise petition and dispose of the above reference by giving an award in terms thereof.

Secretary
Rashtriya Colliery Mazdoor Sangh
For & on behalf of workmen
(GIRIA BIND)
(BENARSI YADAV)
(CHHOTIYA MUNDA)
WORKMAN CONCERNED
WORKMAN CONCERNED
WORKMAN CONCERNED
(KAMAL SATNAMI)
WORKMAN CONCERNED
(RAGHUNATH MUNDA)
WORKMAN CONCERNED

S. N. GHOSH, Project Officer/Agent
Laiyo Jharkhand Colliery
Central Coalfields Limited
For & on behalf of employers
(RAL. S. MURTHY)
ADVOCATE
FOR EMPLOYERS

का. आ. 2111.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार, मैसर्स सेंट्रल कोलफील्ड्स लि. का लया-झार्खण्ड प्रोजेक्ट के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-90 को प्राप्त हुआ था।

S.O. 2111.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Laiyo-Jharkhand Project of C. C. Ltd. and their workmen, which was received by the Central Government on the 10-7-90.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

Reference No. 52 of 1988

ANNEXURE

In the matter of an industrial dispute under Section 10(1) (d) of the I. D. Act. 1947.

PARTIES :

Employers in relation to the management of Laiyo-Jharkhand Project of C. C. Ltd. P. O. Kedla, Dist. Hazaribagh and their workmen.

APPEARANCES

On behalf of the employers.—Shri R. S. Murthy, Advocate

On behalf of the workmen.—Shri U. N. Singh, Secretary, R. C. M. S. Union

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 3rd July, 1990

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I. D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(49)/87-D.IV(B) dated, the 18-9-87.

SCHEDULE

“Whether the action of the management of Laiyo-Jharkhand Project of C.C. Ltd., P. O. Kedla, Distt. Hazaribagh in denying regularisation to Sri Muni Bind, Drill Helper to Exc. Gr. C, Sri Ramchander Yadav, Drill Helper to Ex. Gr. D., Zail Miyan, Kaila Thakur, Jugai Munda, Khalil Miyan, P. K. to Exc. Gr. D and Allaudin Greecer to Exc. Gr. A when they have been working for the last 4 years and the management is paying difference of wages to them, is legal and justified? If not, to what relief the concerned workmen are entitled?”

In this case both the parties appeared and filed their respective Written statement. Thereafter when the case was fixed for evidence of parties both the parties appeared and filed a Joint Compromise Petition. I heard them on the said petition of compromise and I do find that the terms contained therein are fair, proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the Joint Compromise petition which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer

[No. L-24012(49)/87-D.IV(B)]

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 2 DHANBAD

In the matter of ref. No. 52 of 1988

PARTIES

Employers in relation to the Management of Laiyo-Jharkhand Project of Central Coal-

fields Limited P. O. Laiyo, Dist. Hazari-bagh.

AND

Their Workmen

Joint Compromise Petition of Employers and Workmen.

The above mentioned Employers and Workmen Sponsoring Union most respectfully beg to submit jointly as follows :—

- (1) That the Employers and the workmen|sponsoring Union have jointly negotiated the matter covered by the above reference with a view to arriving at an amicable and mutually acceptable settlement.
- (2) That as a result of such negotiations, the Employers and the workmen|sponsoring union have arrived at a settlement on the following terms and conditions :—
 - (a) It is agreed that as a result of such negotiations that Sri Ramchander Yadav, Sri Jugal Munda, Sri Kaila Thakur and Sri Jali Mian have already been regularised by the Management as E. P. Grea er-Helper in Excavation Grade 'E' w.e.f. 1-1-1990 by Officer Order No. PO(L&J) REG-72|90|493-526 dated 8-2-1990 issued by the Project Officer, Laiyo-Jharkhand Opencast Project.
 - (b) It is agreed that the workmen|sponsoring Union has dropped the cases of S|Sri Muni Bind, Khalil Miya and Allaiddin as they are not working in any higher post or getting any difference of wages.
 - (c) It is agreed that this is an overall settlement in full and final settlement of all the claims of the workmen|sponsoring Union arising out of the above reference.
- (3) That the Employers and the workmen|sponsoring union hereby declare and confirm that they consider the above terms and conditions as fair, just and reasonable to both the parties.

In view of the above, the Employers|sponsoring Union pray jointly that the Hon'ble Tribunal may be pleased to accept the above joint compromise petition and dispose of the above reference in terms thereof.

SECRETARY
RASHTRIYA COLLIERY MAZDOOR
SANGH
FOR & ON BEHALF OF WORKMEN
DATE : 17-4-90.

S. N. GHOSH, Project Officer, Agent
LAIYO JHARKHAND PROJECT
CENTRAL COALFIELDS LIMITED
FOR AND ON BEHALF OF EMPLOYERS
RAL. S. MURTHY
ADVOCATE
FOR EMPLOYERS

नई दिल्ली, 27 जुलाई, 1990

का. आ. 2112.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स ईस्टर्न कोलफील्ड्स लि. का कपासारा क्षेत्र में सम्बद्ध निवासियों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-90 को प्राप्त हुआ था।

New Delhi, the 27th July, 1990

S.O. 2112.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kapasara Area of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 10-7-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 184 of 1986

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Kapasara Area of Messrs. Eastern Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the employers.—Shri R. S. Murthy, Advocate.

On behalf of the workmen.—Shri S. K. Jha, Vice President, Koyala Mazdoor Congress.

STATE : Bihar

INDUSTRY : Coal

Dated, the 29th June, 1990

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(371)|85-D. III(A), dated, the 14th May, 1986.

THE SCHEDULE

“Whether the action of the management of Central Pool, Eastern Coalfields Ltd., Kapasara Area, P.O. Saraspahari, District Dhanbad in denying pay protection in respect of Pachan Bhuinya and 92 other Wagon Loaders named below, is justified? If not, to what relief are the workmen entitled?”

NAMES

1. Pachan Bhuinya
2. Sahar Bhuinya
3. Kailu Bhuniya
4. Jamuna Bhuinya
5. Shivrath Bhuinya
6. Mahabir Bhuinya
7. Munahi Bhuinya
8. Somar Bhuinya
9. Musafir Bhuinya
10. Parasadi Bhuinya
11. Jethu Bhuinya
12. Jhankhar Bhuinya
13. Sukhdeo Bhuinya
14. Nanka Bhuinya
15. Ram Balak Bhuinya
16. Nanku Bhuinya
17. Bithori Bhuinya
18. Lallu Bhuinya
19. Badri Bhuinya
20. Rameswar Bhuinya
21. Chandey Kurmi
22. Hiralal Dhobi
23. Suratilal Sawara
24. Sonaram Kurmi
25. Bisain Bai
26. Dakori Basi
27. Sukarita Bai
28. Ram Bai
29. Uday Ram Chouhan
30. Lachhmin Bai
31. Rupasai B. P.
32. Mayamati B. P.
33. Fuchi Mallick
34. Puni Bai
35. Janki Bai
36. Easwari Ram
37. Jeevan Ram Gope
38. Fulleshwari Bai
39. Bundal Ram (Sawra)
40. Jamuna Bai
41. Narayan Singh
42. Bhajan Bai
43. Sukhlal Sawra
44. Ramlal Sawra
45. Dhiru Manjhi
46. Doklin Bai
47. Poklin Bai
48. Fulkumari Bai
49. Mahesh Kavar
50. Paresh Das
51. Dhanoo Mallick
52. Sanu Mallick
53. Jyotilal Ram
54. Gopal Ram

55. Ramtahal Singh
56. Jaman Singh Munda
57. Lillua Mallah
58. Upasin Bai
59. Anarjee Bai
60. Sambari Mundain
61. Jhuklu Munda
62. Sanmat Bai
63. Dharam Kavar
64. Bhejram Sethi
65. Basdeo Bhuinya
66. Rajendra Bhuinya
67. Sukra Bhuinya
68. Gopal Bhuinya
69. Karamdeo Bhuinya
70. Maral Manjhi
71. Sarkar Manjhi
72. Bhuttu Mahato
73. Dange Oraon
74. Michra Munda
75. Bilasi Kamin
76. Kamla Bhokta
77. Budhan Bhuinya
78. Jamuna Bhuinya
79. Prasadi Bhuinya
80. Khik Bai
81. Kera Bai
82. Ram Bai-II
83. Puniram Chouhan
84. Gotilal Dhobi
85. Bhusan Yadav
86. Suraja Ram
87. Chhabilal
88. Hiramati Bai
89. Full Bai
90. Shyam Bai
91. Hemlal Chouhan
92. Suku Mallah
93. Maloti Mallah

Both the parties appeared and filed their respective W. S. documents etc. Thereafter the case was fixed for hearing. During the pendency of the hearing of the reference both the parties filed a settlement dated 30-4-90. No order could be passed immediately after filing of the settlement by the parties as the Presiding Officer was sick and remained on medical leave for more than a month.

The parties were heard on their Joint petition of settlement. It has been prayed in the settlement filed by the parties that a No dispute Award may be passed in the case as the concerned union is no longer interested to pursue the dispute.

In view of the fact that the concerned union is no longer interested to pursue the case and have prayed to pass a No dispute Award in the case, the reference

is dismissed and it is held that the action of the manager is justified. Let a joint petition of the settlement filed by the parties form part of the award as annexure.

I. N. SINHA, Presiding Officer
[No. L-20012(371)|85-D.III(A)|IR(CI)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL
DHANBAD

Reference No. 184/86

PARTIES :

Employers in relation to the Management of
Central Pool Colliery.
(Kapa Bara area)

AND

Their workmen

The humble petition of the union representing the

workmen in the above matter most respectfully
sheweth :—

1. That the union herein concerned is no longer interested to pursue the instant matter.
2. That the union, therefore, prays that the Hon'ble Tribunal may be pleased to pass a No Dispute Award in the above matter.
3. That a copy of this petition has been given to the Employers who have no objection to the request of the union made above.

PRAYER

It is prayed that the Hon'ble Tribunal shall be pleased to pass a No Dispute Award and for this act of kindness, the union as in duty bound shall ever pray.

Sd/-

For and on behalf of
Management.

Sd/-

For and on behalf of Union,
Koyala Mazdoor Congress,
Asansol.

Dated the 26th October, 1989.

